

39.8.1

(אף בעליון אינה תולה) 58b → (משנה א) 57b

7. ואִשָּׁה כִּי תִהְיֶה זָבָה דָּם יִהְיֶה זָבָה בְּבִשְׂרָה שִׁבְעַת יָמִים תִּהְיֶה בְּנִדְתָּהּ וְכָל הַנֶּגַע בָּהּ יִטְמָא עַד הָעֶרְבִי: וְיִקְרָא טו, יט

I א משנה: possible locations of כתמים and their consequences

- a If: she saw a כתם on her flesh near the genitals – טמאה; if elsewhere – טהורה
- b But if: she saw it on her heel, big toe, or inner thighs – טמאה; outside or sides – טהורה
 - i Heel: understood, sometimes she stretches it up and it touches מקום באותו מקום
 - ii Big toe: unclear – can't argue that the toe touches the heel, as we don't presume physical transference of טומאה
 - 1 Support: ברייתא – if she had a wound on her neck, can explain the כתם; not on her shoulder
 - (a) Even though: we might suggest that she may have touched the wound and brought the דם to the front
 - (b) Challenge: we do argue that we consider physical transference of טומאה –
 - (i) Support: if she finds דם between her knuckles, טמא, as hands are always "busy" (touching things)
 - (ii) Presumption: she touched somewhere that had דם
 - (iii) Correction: עסקניות means that she may have touched אותו מקום
 - 2 Explanation: sometimes, when walking, the toe swings directly under אותו מקום
 - iii Inner thighs: until place where thigh and calf meet – and that is also considered "inside" (per ר' ינאי and ר' קטינא)
- c If: she saw on her garment, below the belt – טמאה; above the belt – טהורה
- d If: her sleeve was long enough to reach her genitals and it was found there – טמאה
- e If: she would put on and take off her garment while in bed, any where found on the garment is טמאה – same applies to a belt
 - i ר' אלעזר: תוספתא נדה ז: reported that he ruled this way in Rome and חכמי הדרום (upon his return) confirmed his ruling

II טהורה – דם: if she checked the ground (finding it clean) then sat there and saw דם

- a Source: v. 1 – must feel it (no הרגשה without איסור)
 - i Challenge: בבשרה is used to teach that she is טמאה בבית החיצון
 - 1 Block: if so, would've stated בבשר – בבשרה teaches both
 - ii Challenge: בבשרה needed to exclude דם that is inside a שפיר or piece (of נפל)
 - 1 Answer: we can infer both (all three) from בבשרה
 - iii Challenge: טמאה – if she is urinating and sees דם, is טמאה (if standing, per ר"מ)
 - 1 Observation: must have been without הרגשה, else she'd be טמאה even if seated
 - 2 Defense: could have had הרגשה; if standing, she may have thought it was מי רגלים (explanation for חומרא of standing)
 - iv Challenge: נדה ח"ד: – if an עד (put under pillow at night) is found with blood in round shape – טהורה; if straight – טמאה
 - 1 Observation: must have been without הרגשה, else she'd be טמאה even if round
 - 2 Defense: could have had הרגשה; may have thought it was the הרגשה of her own בדיקה
 - v Challenge: נדה ב"ב: – if דם is found on her עד immediately – טמאים and חייבין בקרבן; if after a while, טמאים מספק, קרבן no, טמאים מספק
 - 1 Observation: must have been without הרגשה, else they'd both be טמאים even if דם found after שיעור
 - 2 Defense: could have had הרגשה, she may have thought it was שמש הרגשה of
 - vi Challenge: ברייתא (explained inline); 3 ספקות affecting a woman
 - 1 If: she sees on her skin, perhaps טהור, perhaps טמא, then she is judged to be טמאה (even without הרגשה)
 - 2 If: she sees on her garment, perhaps טהור, perhaps טמא, then she is judged to be טהורה
 - (a) Challenge: if this is below belt, should be טמאה even on garment; if above – should be טהורה even on בשרה (משנה)
 - (i) Answer: could be either above or below
 - 1. below: if she walked near slaughterhouse; on flesh טמאה (if from slaughtering, would be on clothes)
 - a. and: on garment – טהורה (if from body, would also be on body)
 - 2. above: case where she stretched her body back; on flesh טמאה (if from elsewhere, would be on clothes)
 - a. and: on garment – טהורה (if from body, would also be there)
 - 3 regarding: היסט and מגע – רוב
 - (a) assumed meaning: if most of her days she sees דם, judge והיסט to be טמא; else – טהור
 - (i) even: without הרגשה
 - (ii) defense: means that if most of her days she sees with הרגשה, then the default case is טמא (assumed הרגשה)
 - 4 point: mentions that טמאה if found on her flesh – even without הרגשה
- vii challenge: in our משנה – a כתם on her skin near אותו מקום is טמא – even without הרגשה

- b clarification1 (ר' ירמיה מדפתי): שמואל agrees that seeing דם without ראייה does render her מדרבנן
- i challenge: why did שמואל use קרקע as his example? (for ר' אשי, this is understood)
- 1 answer: he was stating the less obvious; certainly a garment that can't be clearly checked (due to folds and pleats) and we could reason that the דם came from elsewhere – but in the case of דם on the ground, which could have been fully checked beforehand, we might argue that the דם is certainly from her (→ טמאה מה"ת) – קמ"ל – (טמאה מה"ת) that she is טהורה (מה"ת)
- c clarification2 (ר' אשי): שמואל's ruling was only regarding seeing on קרקע – per נחמיה (ג: ט:ג) ר' נחמיה's ruling has nothing to do with הרגשה
- i ד' נחמיה: any surface that isn't מקבל טומאה isn't legitimate for כתמים (i.e. שמואל's ruling has nothing to do with הרגשה)
- III Related questions and discussion
- a ד' ירמיה: what if the כתם (on her skin) is circular, s straight line, drops, extending the width of her thigh – are these טמאים?
- i Proposed answer: from ברייתא (above) – on her flesh, ספק טהור ספק טמא is judged to be טמא
- ii Doesn't this: include even these unlikely patterns?
- iii Rejection: refers to (expected) strip
- b Story: woman was working with weave and found דם; ר' ינאי instructed her to weave again and see if (as-yet unwoven) wool extends under her; (if so, would be טמא)
- i Challenge: we do not "replicate" in case of טהרות (as 2nd attempt may not be perfectly identical to 1st)
- ii Answer: we do not replicate לקולא – here, it would be a חומרא (identifying דם as נדה → דם as נדה)
- c תוספתא ז:ג: if a tall woman wore a short woman's tunic or vice-versa
- i If: it reaches to אותו מקום of the tall woman – a כתם found on it renders both טמאות; if not, only the קצרה is טמאה
- d תוספתא ט:יב: if she checked her tunic (and found it to be clean) and then lent it to another (and it was found with a כתם)
- i Then: the lender can associate the כתם with the borrower – who is also "off the hook"
- ii ד' ששת: this only affect financial liability (borrower isn't liable)
- 1 But: vis-à-vis טהרה – the lender is טהורה and the borrower - טמאה
- 2 Challenge: why is this different from תוספתא מקוואות ב:יב: – if 2 women were working with 1 bird with a סלע of blood and they each find a סלע of blood on them – both are טמאות
- 3 Answer: in that case, there is an extra סלע of blood which must be accounted for
- e ברייתא: if she put on 3 checked garbs (at one time) and can explain the דם – even the inner one is clean
- i If: she cannot explain the דם, even the outer one is טמא
- ii Explaining: if she had walked through a butcher's area of the שוק, even inner one is "explained"
- 1 If not: even outer one is טמא