

39.4.5

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

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

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