



Volume 12. Issue 22

Tumat Met in the Walls

Over the week we learnt of a number of cases where *tumat ha'met*, which can transfer *tumah* in an *ohel*, is inside the walls of a building. The location, size and dimension of the cavity all impact on where and how far the *tumah* can spread. One case (6:3) is where the *tumah* is jammed in the external wall of the building.

The *Mishnah* teaches that the wall's thickness is divided in two. This means that if the *tumah* is located in the inner half, then it is considered as if the *tumah* is inside the house and everything inside becomes *tameh*. Recall that the *tumah* is wedged in a crack. *Tumat hamet* that is in a crevasse is usually treated as *tumah retzuta* – and spreads directly upward and down despite being contained in a small space. Nevertheless, since the *tumah* is treated as if it is inside the house, one who stands on top of the wall directly above the *tumah* remain *tahor*.

If however the *tumah* is located inside the outer half of the wall then the opposite is true. The *tumah* is no longer treated as if it is inside the house and the *tumah* is considered *tumah retzuta* – anyone standing above the *tumah* would be *tameh*.¹

A debate ensues when considering when the *tumah* is situated right in the middle of the wall. Everyone agrees that the house is *tameh*. If however one stands on the wall above the *tumah*, *R' Meir* understand that the person is *tameh* while the *Chachamim* disagree.

The *Bartenura* understands that the *Chachamim* simply treat the case as if the *tumah* is in the inner half and considers the *tumah* as being inside the house. *R' Meir* however rules stringently and adopts both implications whether the *tumah* is in the inner or outer half. The *Tifferet Yisrael* explains that according to this reasoning, if one were standing on top of the inner half of the wall, he would be *tahor* as this would be consistent with both sides of the stringency. We shall attempt to understand the opinion of the *Chachamim*.

The commentaries draw a parallel between this *Mishnah* and a *Mishnah* we will learn later (10:3). There the *Mishnah* discusses a case where *tumat ha'met* is inside a house that has a small, open skylight (*aruba*). If the *tumah* is under that skylight, then the house remains *tahor*; the

tumah is not under the *ohel* and escapes directly out the skylight. If it is under the ceiling, then everything in the house is *tameh* and above the skylight is *tahor*. If however the *tumah* is only partially under the skylight, then the ruling is a subject of debate. Everyone agrees that since the *tumah* is partially covered by the house, then the entire house is *tumah*. However, while *R' Meir* maintains that anything above the skylight is *tameh*, *R' Yehuda* disagrees. The *Tifferet Yisrael* notes that *R' Meir* is consistent with his opinion in the later *Mishnah* while the *Chachamim* here appear to rule like *R' Yehuda* there that the *tumah* is considered to be entirely inside the house.

The *Mishnah Achrona* however understands that just like in the later *Mishnah*, once the *tumah* is partially in the inner half, it is as if the house is covering the entire *tumah*. But why does the *tumah* not spread upward as well considering that half is inside the out half the wall. He explains that since the *tumah* already has the law that it spread inside the house, it is no longer considered as being contained on all sides – it no longer has the status of being *tumah retzuta* – and therefore does not spread upward and above the wall. Furthermore, once there is one (and only one) opening we have learnt that “it is the way of the *tumah* to leave”. Consequently all the *tumah* should “exit” by way of the house itself.

Consequently, we find that according to the *Chachamim* there is a technical reason in our *Mishnah* why the *tumah* does not spread upward – it is no longer defined as *tumah retzuta*. In other words, it is not simply that if the ratio is 50-50 we treat it as if it is entirely inside, but a specific reason that applies to this case. What then is the logic why according to *R' Yehuda* the *tumah* does not spread up through the *aruba* in the later *Mishnah*?

The *Mishnah Achrona* provides two reasons. The first is similar to the one just provided. The skylight is less than a *tephach* wide. Consequently since it is too small to be considered a *petach*, now that the *tumah* is spreading in the house, it will a leave through the *petach* – and the skylight is not defined as one.²

Yisrael Bankier

¹ According to the *Tifferet Yisrael* this is only if the roof does not cover the outer wall otherwise the entire wall would be considered as if it were inside the house.

² The second reason is that we apply the principle of *levud*; since the space is less than three *tephachim* wide, it is viewed as being filled. With *tumah*

the principle of *levud* is only applied if it results in a leniency. If the *tumah* is completely under the skylight, applying *levud* would result in a stringency as the entire house would be *tameh*. In this case, since the *tumah* is already partially in the house, applying *levud* would result in a leniency as it prevents anything above the skylight from becoming *tameh*.

Revision Questions

יה: יה תולהא – יד: ז

- List the utensils that would protect everything in the upper floor if used to cover the *arubah*. יה: ה
- Explain the rule that “all *tahor keilim* are able to save when combining with the walls of an *ohel*”. יה: ז
- What further requirement is there on the *kli*, regarding the previous question? יה: ז
- Explain the following ruling including the example brought in the *Mishnah*: יה: ז
ה תא שמשמה לתב. הצחמל הצחמ ודי תיב
- How does a person (or *keilim*) acting as an *ohel* differ from a regular *ohel*? יה: א
- In what case would a house whose door is closed, still be *tameh* if a corpse passed under its *achsadra*? יה: ב
- In what circumstance does a wall made of stacked *kankanim* and covered with plaster constituted a proper *mechitza* for *tumah*? יה: ב
- Explain the following rule regarding the wall of a house: יה: ג
ה תא שמשמה לתב. הצחמל הצחמ ודי תיב
- What is *R' Yehuda*'s opinion regarding the above rule? יה: ג
- What is the law regarding a person who stood on a wall where the *tumah* was inside the wall closer to the inside of the house? יה: ג
- What is the law regarding *tumah* found in the wall between two houses? יה: ד
- Explain the debate regarding the status of the *ma'aziva*? יה: ד
- What is the law regarding *tumah* that is found *bein ha'korof*? (Provide all three cases.) יה: ד
- What is the law regarding a “house that serves a wall”? יה: ז (Compare with how a “wall serves a house”). ז: ג
- What is the law regarding a case where *tumah* is found beneath a pillar? ז: ג
- Explain the debate regarding the utensils found beneath the overhanging decorations of the pillar. ז: ג
- Regarding the previous question, in what case is there no debate? ז: ג
- What is the law regarding *tumah* found in cupboards built into the wall? ז: ג
- When does *tumah* found in a wall cause all the floors in the building to become *tameh*? ז: א
- In what case would the spread be stopped? ז: א
- When would one touch the side of a *matezeiva* be *tameh* and when would he be *tahor*? ז: א
- Is the space under the slanted part of an *ohel* considered part of the *ohel*? ז: א
- What is the difference if one touches the inside or outside of an *ohel* once the corpse has been removed? ז: ב
- What is the law regarding a case where a half *kezayit* was on one side of the *ohel* and another on the other side? ז: ב
- What is the law regarding *tumah* that is found under that excess flap of a tent? ז: ב
- Explain the debate regarding a tent placed over an *arubah*. ז: ב
- What is the law regarding an item in the closed doorways of a house that contains a corpse? When does this change? ז: ג
- What are the two debates between *Beit Shammai* and *Beit Hillel* regarding the previous question? ז: ג
- Explain the debate regarding a case where a woman miscarries after she was transferred between rooms during labour. ז: ד

Local Shiurim

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*
Beit Ha'Roeh
Melbourne, Australia

Efrat, Israel

Shiur in English

Sunday -Thursday

Rabbi Mordechai Scharf
9:00am
Kollel Magen Avraham
Reemon Neighbourhood

ONLINE SHIURIM

Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rav Meir Pogrow
613.org/mishnah.html

Rabbi E. Kornfeld
Rabbi C. Brown
<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

SHIUR ON KOL HALOSHON

Rabbi Moshe Meir Weiss
In US dial: 718 906 6400
Then select: 1 – 2 – 4

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שדוק תבש
12 th April ג"כ ןסינ	13 th April ד"כ ןסינ	14 th April ןסינ ה"כ	15 th April ןסינ ו"כ	16 th April ןסינ ז"כ	17 th April ח"כ ןסינ	18 th April ט"כ ןסינ
Ohalot 7:5-6	Ohalot 8:1-2	Ohalot 8:3-4	Ohalot 8:5-6	Ohalot 9:1-2	Ohalot 9:3-4	Ohalot 9:5-6

