



Volume 12. Issue 24

Levud for Tumah Revisted

The beginning of the tenth *perek* opens discussing *tumat ha'met* inside a room that has an opening in its ceiling (*arubah*). Depending on whether the *tumah* is directly under the *aruba* and the size of the *aruba*, the *Mishnah* rules whether the room and/or above the *aruba* is *tameh*.

One case mentioned (10:2) is where the *tumah* is directly under the *aruba* and the *aruba* is less than a *tephach* wide. The *Mishnah* rules that the house is *tahor* and above the *aruba* is *tameh*. The house is *tahor* since the roof does not cover the *tumah* – there is no *ohel*. Above the *aruba* is *tameh* since the *tumah* escapes via the *aruba*. This is despite the fact that the *aruba* is less than a *tephach* wide. Recall that in the laws of *mechitzot* (partitions) any space that is less than three *tephachim* wide is considered filled (*levud*). Nevertheless the *Bartenura* explains, “Even for less than a *tephach* we do not [apply the law of] *levud* to *tumah*.”

Last cycle (Vol. 6, Iss. 24) we cited the *Mishnah Achrona* that attempted to understand the *Bartenura*'s language of “even for less than a *tephach*”. The article came to two important conclusions. The first, based on the *Ritva*, is that the measure of the three *tephachim* for *mechitzot* is equivalent to the space of a *tephach* in the world of *tumah*. Consequently *levud* can be applied to a space that is less than one *tephach* wide for the world of *tumah*. This however is only when the *levud* results in a leniency and not a stringency. In our case, applying *levud* would cause the house to be *tameh* - which is a stringency - so *levud* does not apply.

The *Tifferet Yisrael* asks a different question. In the previous *Mishnah*, when the *aruba* was a *tephach* wide and the *tumah* directly beneath it, the house remaining *tahor* is understood. Firstly the *tumah* was not beneath the *ohel*. Furthermore, since the space was a *tephach* wide, the *tumah* had a means of exiting the house. In our case however, since the *aruba* is not a *tephach* wide, we cannot say the *tumah* will exit the house via the *aruba*. Instead we

should reason that since the *tumah* will eventually be physically removed by way of the house, the house should be *tameh*. This principle of *sof tumah latzeit* was discussed in last week's article.

The *Tifferet Yisrael* answers that we only say *sof tumah latzeit* when the *tumah* is covered. In our case, since it is effectively under sky, the *tumah* would be considered “entering” the house, and not exiting via the house.

The *Tifferet Yisrael* however notes, that it is true, since the *aruba* is less than a *tephach* wide, the *tumah* will inevitably leave via the house. Nevertheless this does not present a difficulty. On the one hand, one could say that this exception is built into the law of *sof tumah latzeit*. The *Tifferet Yisrael* however provides another solution.

Recall we learnt (4:2) regarding a chest inside a house. There was enough space (*tephach*) inside the chest for it to act as an *ohel*, however its opening was less than a *tephach* wide. The *Mishnah* ruled that if the *tumah* was inside the house, then the contents of the chest would remain *tahor*. This is based on the principle that *tumah* leaves (the house) but does not enter, in this case, the chest. If however the *tumah* was inside the chest then the *Chachamim* understand that the house would be *tameh* based on the same principle. *R' Yosi* however understands that since the *tumah* can be removed from the chest in a way that it will no longer be *tameh*, either by cutting it up or burning it in its place, the house remains *tahor*.

The *Tifferet Yisrael* explains that in the earlier *Mishnah* where *Chachamim* disagree, is when the narrow space was in the side of the chest. If however the narrow space is above the *tumah*, such there is no *ohel* above it, they would agree with *R' Yosi*. In other words, they accept the rational that the *tumah* could be removed via the house, in such a way that would not make the house *tameh*.

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Revision Questions

ז: ט: תולהא – ד: י:

- (Question A :) Regarding a *kaveret* that is placed inside a house lying on its side with it open outside the house, what is the law regarding items above, below and inside the *kaveret* and inside the house if:)ט: א(
 - A *kezayit* from a *met* is found underneath the *kaveret* (outside the house)?
 - A *kezayit* from a *met* is found inside the house?
 - Inside the *kaveret*?
- (Question B :) Is the law different if the *kaveret* was raised a *tephach* above the ground?)ט: ב(
- (Question C :) In which two cases would the laws in the previous two cases change and what is the law in both those cases?)ט: ד(-ד(
- What is meant by the term *afutza*?)ט: ג(
- If the opening of the *kaveret* was inside the house how would the law differ in the case of:
 - Question A?)ט: ה(
 - Question B?)ט: ו(
 - Question C?)ט: ז(-ח(
- What is the law regarding a case where the *kaveret* “filled the house” in the three scenarios of Question A?)ט: ט(
- Provide some examples for the previous question?)ט: י(
- What is the law regarding a case where the *kaveret* is found in a doorway and equal to its height in the three scenarios of Question A?)ט: יא(
- Regarding a *kaveret* that is outside and lying in its side what is the law regarding items above, below and inside the *kaveret* if:)ט: יא(
 - A *kezayit* from a *met* is found underneath the *kaveret* (outside the house)?
 - Inside the *kaveret*?
- Is the law different if the *kaveret* was raised a *tephach* above the ground?)ט: יב(
- In which three cases would the laws in the previous two cases change and what is the law in those cases?)ט: יג(
- (Question A :) What is the law regarding an upright *kaveret* that is outside and:)ט: יג(
 - A *kezayit* from a *met* is found underneath the *kaveret*?
 - A *kezayit* from a *met* is found on top of the *kaveret*?
 - Inside the *kaveret*?
- (Question B :) Regarding the previous question what is the law if the *kaveret* is a *tephach* above the ground?)ט: יד(
- What other cases share the same law as the previous question?)ט: יד(
- In which three cases would the laws in questions A and B change and what is the law in both those cases?)ט: יד(
- What is the law regarding an “*aron*” that is wide at its base and narrow at the top where one touched “above”? “Below”?)ט: טו(
- What is the law if the *aron* was narrower at the top?)ט: טז(
- Explain the debate when the walls are vertical.)ט: טז(
- Explain how an *aron* is structured like a *gluskom* and the law in that case?)ט: טז(
- What is the law regarding an earthenware barrel that is seated on top of *tumah*?)ט: טז(
- What is the law if the *tumah* is under the belly of the barrel? (Provide both cases.))ט: טז(
- In what four cases would the law change?)ט: טז(
- What is the law regarding a house with an *arubah* and *tumah* is found in the house? Under the *arubah*?)ט: טז(
- How does the law differ if a person placed their foot over the hole?)ט: טז(
- What is the law if a *kezayit* of *tumah* is placed partially under the *arubah*?)ט: טז(
- Regarding the previous three questions how does the law differ if the *arubah* is less than a *tephach*? (Include the opinions when where debated.))ט: טז(
- What is the law regarding a case where multiple *arubot* are on top of one another and *tumah* is found in the house? Under the *arubot*?)ט: טז(
- What is the law if a utensil that was susceptible to *tumah* was placed of one of the *arubot*?)ט: טז(
- What is the law if the utensil was not susceptible to *tumah*?)ט: טז(

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
26 th April ז' רי"א	27 th April ח' רי"א	28 th April ט' רי"א	29 th April י' רי"א	30 th April יא' רי"א	1 st May ב' רי"א	2 nd May ג' רי"א
Ohalot 10:5-6	Ohalot 10:7-11:1	Ohalot 11:2-3	Ohalot 11:4-5	Ohalot 11:6-7	Ohalot 11:8-9	Ohalot 12:1-2

