



Volume 12. Issue 44

Neveilat Ohr Tahor

The first *Mishnah* of *Masechet Taharot* discussing thirteen laws that apply to a *neveilat ohf tahor*. An *ohf tahor* refers to a bird of a kosher species. A *neveilat ohf tahor* refers to the carcass of such a bird that was not given a valid *shechita*. It was necessary for the *Mishnah* to outline all these laws because the way in which this bird is a source of *tumah* is unique. Indeed, the *Gemara* (*Zevachim* 70a) comments that *neveilat ohf tahor* is a *chidush* (novel). Most striking way is that, under normal circumstances, it cannot transfer *tumah* at all – not when carried (*masa*) and not even by direct contact (*maga*). It is only once a *kezayit* of the bird is consumed and it is in the *beit ha'beliya* (gullet) that the person and anything he is contact with becomes *tameh* – he becomes a *rishon le'tumah*.

Rav Wolf (*Mincha Tahora*) analyses the *neveilat ohf tahor*. One of the questions he addresses is nature of the *tumah* transfer. There two potential ways of viewing it (as we have discussed in previous issues). The first is that there is a transfer of *tumah*. The bird is a source of *tumah* but is only capable of transferring *tumah* when it is in the gullet.¹ Alternatively, the person is *tameh* by definition. In other words, the bird itself is not a source of *tumah*. Yet, the *Torah* decreed that when the bird is in the gullet a person, that person is *tameh*.

Rav Wolf provides a number of proofs that suggest that with respect *neveilat ohf tahor*, the latter understanding fits. Firstly, the beginning of *masechet Keilim* includes a list of the *avot ha'tumah* – sources of *tumah*. Amongst those absent from that list is the *neveilat ohf tahor*. This suggests that it is not a source of *tumah* in and of itself. Instead it must be eating it is defined as a new source of *tumah*.

A similar proof is found in the *Mishnah* (*Ohalot* 13:5-6) that lists those items that can act as separation for *tumah*; more specifically, those items that can reduce the size of a window preventing *tumat met* from transferring through. Even though, something that is *tameh* cannot reduce the size, *neveilat ohf tahor* is listed.

In *Keilim* (17:14) the *Mishnah* taught that there is no *tumah* found in those things created on the fifth day. Since birds were created on that day, the *Rishonim* question the *Mishnah's* statement. The *Rash* addresses the questions by answering that the *Mishnah's* focus is on *keilim* constructed from the things created on those day. The *Rambam* however answers that *neveilat ohf tahor* is a *chidush* and does not transfer by way of contact. Rav Wolf suggests that the *Rambam* is consistent with our second understanding above.

The final proof Rav Wolf provides is found in another debate. The *Gemara* (*Nida* 42b) discusses whether the *beit ha'bliya* is consider *beit ha'starim* (concealed) or *balua* (absorbed). The difference is that *tumat masa* but not *tumat maga* applies to *beit ha'starim* whereas no *tuma* applies to a place that is *balua*. The *Gemara* records that *Rava* holds the first understanding while *Abaye* maintains the latter. According to *Abaye*, if it is a *makom balua* and no *tumah* transfer can apply, how does he explain *neveilat ohf tahor*? The answer, suggests Rav Wolf, is that there is no transfer and transfer is unnecessary. According to *Abaye*, *tumat neveilat ohf tahor* is by definition. The person becomes *tameh* since he fits the criteria of a person eating a *neveilat ohf tahor*.

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¹ Rabbi Wolf suggests that there are two different possibilities to understand the transfer as well. Either it is a standard transfer by way of

maga or *masa*, albeit limited to that region. Alternatively, there is a new type of transfer unique to *neveilat ohf tahor*.

Revision Questions

הרפ"ד: ב"יי- א"י

- How would one hold an axe when performing *hazaya* on it? (יה: ב"יי)
- How much water is required of *hazaya*? (יה: ב"יי)
- What is the difference if one performs *hazaya* with a small or large *tameh eizov*? (Define "small" and "large".) (י: ב"יי)
- What is different about one whose hands become *tameh* when concerning *mei chatat*? (י: ב"יי)
- What is the law regarding a *lugin* of *mei chatat* that came into contact with *tameh* water? (י: ב"יי)
- Are the parts of the bell considered *chibur* for *tahara*? (Which items listed are?) (י: ב"יי)
- List some items that are *chibur* for *tumah* but not *hazaya*. (י: ב"יי)
- What are the two opinions regarding whether a cover of a *meicham* connected with a chain is considered *chibur*? (י: ב"יי)
- Which people may not perform *hazaya*? (י: ב"יי)
- What is the law if the *eizov* was dipped in the *mei chatat* during the night and *hazaya* was performed during the day? (א"י: ב"יי)
- What is the law if the *tameh* person immersed in the *mikveh* during the night and then had *hazaya* performed on him during the day? (א"י: ב"יי)
- When is the earliest time *hazaya* can be performed (*lechatchila* and *bedi'aved*)? (א"י: ב"יי)

תורה ט' א' - י'

- What are the thirteen laws stated by *nivlat ohf tahor*? (א' (-) יב)
- Explain the debate regarding what can "*metaher*" an *ohf tahor* that is a *treifah*. (א' : א')
- Explain the debate regarding the *notza*. (א' : א')
- Explain what it means that the nails are "סִקְצָמוֹ וְהִתְקַמְּמוּ וְהִתְקַמְּמוּ וְהִתְקַמְּמוּ" (יב: א')
- List the ways in which *nivlat ohf tameh* differs from *nivlat ohf tahor*. (א' : א')
- For which "*tumah*" can the hide of an animal combine with its flesh to complete the shiur? (List some other parts that share the same law.) (א' : ד')
- What is law regarding the meat of a *tameh* animal that was slaughter by a *yisrael* for a *nochri*, while the animal is convulsing? (א' : ד')
- Can food that is *rishon le'tumah* combine with food that is *sheni le'tumah* to make the minimum *shiur* to transmit *tumah*? (What is that *shiur*?) (א' : א')
- What is the law regarding a *ke'beitzah* of *sheni* that was mixed with a *ke'beitzah* of *sh'lishi* food? (א' : י')
- What is the law if that mixture was then split into two? (א' : י')
- How does the law change in the previous two questions if each part was initially two *beitzim* in size? (א' : י')

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
13 September כ"ט לולא	14 September א' ירשת	15 September ב' ירשת	16 September ג' ירשת	17 September ד' ירשת	18 September ה' ירשת	19 September ו' ירשת
Taharot 1:7-8	Taharot 1:9-2:1	Taharot 2:2-3	Taharot 2:4-5	Taharot 2:6-7	Taharot 2:8-3:1	Taharot 3:2-3

