



Volume 12. Issue 59

Retroactive Tumah of a Ketem

The *Mishnah* (7:2) teaches that if a dead *sheretz* is found in a *mavoi* (alleyway), then any *taharot* found in the *mavoi* are *tameh*. This applies to all *taharot* that were found there going back until one can say that the *mavoi* was checked or it was last cleaned. The *Bartenura* explains that even though there is a doubt whether the *taharot* came into contact with the *sheretz*, since the *mavoi* is defined as a *reshut ha'yachid* (private domain), we rule stringently. The *Mishnah* continues that the same law applies to a *ketem* (blood-stain) found on a garment. Any *taharat* that she came into contact with whilst wearing the garment are *tameh* going back until she either inspected or laundered the garment. To put it differently, it is *tameh le'mafreah* (retroactively) back to when we are certain the *ketem* was not there.

Recall that when we first started this *Masechet* there was a debate regarding a woman that saw *dam* and how far back in time must she be concerned that she was *tameh*. One of the opinions was that of *Beit Shammai* who maintained that she need not be concerned at all; she is only *tameh* from that point in time onward. The *Gemara* (3a) raises the case of the *sheretz* presented in our *Mishnah* as a difficulty on *Beit Shammai's* position. Despite in both cases our starting point is where there was a *chezkat tahara* – existing presumed status of *tahara* – in the case of the *mavoi* we are concerned for the time prior to the discovery of the *tumah*, whereas *Beit Shammai* in the early case is not.

The *Gemara* differentiates between the two cases. In the case of the *mavoi* the *sheretz* could have originated for outside the *mavoi* as well as from within, it is considered “*tartei le'rei'uta*” (twice in the negative). In other words, there are more reason to be concerned.

The *Tosfot* (3a *u'sheratzim*) however ask that the answer of the *Gemara* may satisfy the case of the *sheretz*, yet the case of the *ketem* appears to still present a difficulty for the position of *Beit Shammai*. The *Tosfot* answer that the case of *ketamim* is also different. Firstly, if the *ketem* was dry, it is certainly *tameh le'mafreah* – it had to have been there for some time. Furthermore, the *Tosfot* list cases where even if it is moist, it is still certainly *tameh le'mafreah*. That being the case, the *Chachamim* made a blanket rule that all *ketamim* are *me'tameh lemafreah*.

One might still ask, why is it that in the case of a *ketem* the *chazak* is completely lost? We should simple calculate how far back in time would it be possible that the *ketem* was moist and only *me'tameh* till that point rather than all the way back to when it was laundered. The *Chatam Sofer* (3a, *u'sheratzim*) cites the the *Ran* (*Chullin* 11a) who explains that since at a recent point in time we know the *ketem* was there (since the *ketem* was dry) she loses her *chazaka* completely and is *tameh* back until it can be established again with certainty.

Yisrael Bankier

Revision Questions

נידה ו' ג' - ז' ב'

- Which of the following two *tumot* can cause *tumah* to more *keilim*: *tumat met* or *tumat midras*? (ו' ג')
- Explain what the *Mishnah* means when it states that there are people that are fit for judging monetary cases that are not fit for judging capital cases. (ו' ד')
- Which of the following two laws apply to more food: *tumat ochlin* or *chiyuv ma'asrot*? (ו' ה')
- Which of the following two laws apply to more food: *peah* or *chiyuv ma'asrot*? (ו' ו')
- Which of the following two laws apply to more animals: *matanot* or *reishit ha'gez*? (ו' ז')
- Which of the following two laws apply to more produce: *biur* or *shvi'it*? (ו' ח')
- What else must a fish have if it has scales? (ו' ט')
- Do all animals that have horns have split hooves? Do animals that have split hooves all have horns? (ו' י')
- Does everything that requires a preceding *bracha* require one after? What things that require an after *bracha* require a preceding *bracha*? (ו' יא')
- At what age do a boy and girl become fully obligated in *mitzvot*? (ו' יב')
- At what age is a *ben sorer u'moreh*? (ו' יג')
- Till what age can a girl perform *mi'un*? (ו' יד')
- List some laws where two hairs are important? (ו' יה')
- What is the minimum length of hairs for these laws? (ו' יז')
- Explain the debate between *R' Meir* and the *Chachamim* regarding one that sees a *ketem*. (ו' יח')
- What is the law regarding one that sees *dam* in *bein ha'shmashot* on the last day of *yemei zivah*? (ו' יט')
- To what was *R' Yehoshua* referring when he said:
עד שאתם מתקנים את השוטות תקנו את הפקחות (ו' כ')
- List some items that are *metameh* both *lach* and *yavesh*? (ו' כא')
- List some things that are *metameh* only *lach*? (ו' כב')
- When are items referred to in the previous question still *metameh* when *yavesh*? (ו' כג')
- On which item does *R' Yosi* argue? (ו' כד')
- If a dead *sheretz* is found in a *mavoi*, however far back are the items that were in the *mavoi* retroactively *tameh*? (ו' כה')
- What case is similar to the one in the previous question? (ו' כו')

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/

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	שבת קודש
27 December טבת ו"ט	28 December ט"ז טבת	29 December י"ז טבת	30 December י"ח טבת	31 December י"ט טבת	1 January כ" טבת	2 January כ"א טבת
Nidah 7: 3-4	Nidah 7: 5-8: 1	Nidah 8: 2-3	Nidah 8: 4-9: 1	Nidah 9: 2-3	Nidah 9: 4-5	Nidah 9: 6-7

