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Teliya in Ketamim

The *Mishnah* (8:2) taught that if one found a *ketem* they can *tole* (literally “hang it”) on another possible cause. In other words, if possible, one could attribute another reason for the *dam* other than it being as a result of *nida*. The *Mishnayot* then address which cases do and do not qualify for this consideration.

The *Mishnah* (8:3) recounted a case of a *ketem* that was brought before *R' Akiva*. He asked her whether she had any cuts. She responded that she had, but it had healed. He asked whether it was possible that the wound could open and blood come out. After she responded yes, he ruled that she was *tahor*.

The *Mishnah* continues that he noticed that his students were surprised. *R' Akiva* responded:

Why is this matter difficult in your eyes? For the *Chachamim* did not mention [the law of *ketamim*] to be strict, but rather lenient. As its say, ‘And if a woman has an issue, and her issue in her flesh be blood’ – not a [blood] stain but rather blood.

We shall try and understand this leniency.

The *Gemara* (59a) cites a *Beraita* that states the complete opposite of what *R' Akiva* said. “The [*Chachamim*] did not state the laws of *ketamim* to be lenient, but rather stringent.” The *Gemara* resolves the two statements by explaining that *ketamim* are indeed a stringency. According to *Torah* law, a woman is only *tameh nidah* if the sighting of blood was accompanied with a *hargasha* (sensation of blood leaving her body). The law of *tumah* based on a *ketem* without a *hargasha* is rabbinic. Due to that fact, they afforded the leniency that wherever possible, the cause of a *ketem* may be attributed to something else.

The *Tosfot Yom Tov* asks, irrespective of the *gezeira*, why do we not treat a *ketem* like any other doubt. Considering that *nidah* is a *Torah* law, it should be treated stringently in case of a doubt. He explains that since the *Torah* is only *metameh* when the *dam* is accompanied with a *hargasha* is not like a regular *safek de'oraita*. The *Mishnah Achrona*

asks that there is still a doubt the perhaps she had a *hargasha* but was not conscious of it.

The explanation brought in the *Yalkut Bi'urim* is that as a result of the additional requirement of *hargasha* we have a double-doubt. The first is whether the *dam* originated from her body and second is whether there was a *hargasha*. In the case of a double-doubt we are generally lenient.

The *Mishnah Achrona* however explains that the concern that there might have been a *hargasha* is raised by *Rashi*. He uses it to explain why a woman who sees *dam* without a *hargasha* is *tameh*. The *Tosfot* however argue that in that case, even if she is certain that she did not have a *hargasha* she would still be *tameh* “because she saw *dam nidot*”. The *Mishnah Achrona* explains that according to the *Tosfot*, if the sole concern was whether she had a *hargasha* then it would be a *safek de'oraita* and she would be *tameh de'oraita*.¹ To explain *Rashi*, the *Mishnah Achrona* suggests that since most who have a *hargasha* are aware when it happens, we have a majority overriding the doubt; in other words, it is no longer a *safek de'oraita*. (The difficulty would then be that the concern then is for the minority and even on a rabbinic level, we are not concerned for the minority.)

Returning to the *Tosfot*, recall that they explain that if she sees *dam* without a *hargasha* she is *tameh* because she saw *dam nidot*. It is in essence a *gezeira* and not stemming from a *safek*. The *Mishnah Achrona* notes that this is only if she actually saw *dam*. In the case of a *ketem* however since it could have originated from elsewhere, the *gezeira* of “she saw *dam nidot*” does not apply in full force. As with other rabbinic decrees we could then attributed it to something else – “*she'anim omer...*”. He continues that this would only be the case if she was certain that she did not have a *hargasha*. Otherwise it would be a *safek de'oraita* and she would be *tameh* for we could no longer raise “*she'ani omer*”. The case in our *Mishnah* must therefore be where the woman was certain that she had no *hargasha*.

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¹ This is according to the *Tosfot* who understand that a *safek de'oraita* is *metame de'oraita*.

Revision Questions

נידה ז' גי' – ט' ז'

- Explain the debate regarding *ketamim* from *Rekem*. (ז': ג')
- Explain the debate regarding *ketamim* found from amongst *Yisraelim*. (ז': ג')
- Where a *ketamim* found in *Eretz Yisrael* that they would be considered *tameh*? (ז': ד')
- Which *ketamim* are *metameh b'ohel* (and according to whom)? (ז': ד')
- Regarding which three laws (listed) are *Kutim* trust? Not trusted? (ז': ה')
- Is a *ketem* found on one's big toe *tameh*? (ז': א')
- When would a *ketem* found anywhere on a garment be *tameh*? (ז': א')
- What examples are brought for the following rule: ותולה בכל דבר שהיא יכולה לתלות? (ז': ב')
- What is the limit to the previous rule? (ז': ב')
- What was the case with *R' Akiva* that illustrates the previous rule? (ז': ג')
- What is the law regarding a case where an *eid* that was placed under a pillow after *bedika*, had *dam* on it? (ז': ח')
- What is the debate regarding one that saw blood when she was *metilah mayim*? (ז': ט')
- What is the debate regarding a case where *dam* was found in a *sefel* that was shared by a man and woman? (ז': ט')
- What is the law regarding the *isha* that lent a garment to a *nidah* (without for checking it) and it was returned with a *ketem*? (ז': ט')
- What is the law if three *nashim* sat on a bench (one after the other) and *dam* was found on it? (ז': ט')
- In what case does *R' Nechemya* argue? (ז': ט')
- What is the law if three *nashim* shared a bed and *dam* was found beneath one? (ז': ט')
- When does that law in the previous question change? (ז': ט')
- Regarding the previous cases when would only two be *tame'ot*? (In what case does *R' Yehuda* argue?) (ז': ט')
- What other case relating to *tumah* is compared to the previous one? (ז': ט')
- What are the seven *samemanin* and what are they used for? (ז': ט')
- What is the law regarding a garment with a *ketem* that was immersed, and then the *ketem* was removed with the *samemanin*? (ז': ט')
- Describe how the *samemanin* must be applied. (ז': ט')

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Sunday -Thursday

10 minutes before *Mincha*
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Reemon Neighbourhood

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SHIUR ON KOL HALOSHON

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
3 January כ"ב טבת	4 January כ"ג טבת	5 January כ"ד טבת	6 January כ"ה טבת	7 January כ"ו טבת	8 January כ"ז טבת	9 January כ"ח טבת
Nidah 9:8-9	Nidah 9:10-11	Nidah 10:1-2	Nidah 10:3-4	Nidah 10:5-6	Nidah 10:7-8	Machshirin 1:1-2

