



Sealing a Window from Tumah

With the beginning of the sixth *perek* we learn that if people or *keilim* support an *ohel*, then it is only partially considered an *ohel*. It behaves like an *ohel* in that it would spread the *tumah* and make everything beneath it *tameh*. It however would not act as an *ohel* to prevent items above the *ohel* from becoming *tameh*.

One of the cases discussed in the second *Mishnah* is a barrel of dried figs or a basket of straw used to fill in a window that is between two *ohalot*. The *Mishnah* explains that if the figs or straw rely on the *kli* from structural support then it is not considered as if the windows has been sealed. If however the figs and straw can stand without the *kli*, then the windows is considered sealed and the *tumat hamet* would not pass from one *ohel* to the next.

The *Bartenura* explains that in this case the figs and straw had spoiled such that they were not fit for consumption. Since one has resolved to leave them there, they can act as a *mechitzah* (partition).

The *Mishnah Achrona* however adds, that even if it were fit for consumption, if one were *mevatel* (annulled) them, it would also act as a separation (see 15:7). The reason why the *Gemara* mentions that they are not fit for consumption is because in that case, *bitul* is assumed and need not be declared.

The *Mishnah Achrona* continues, citing the *Tosfot* (*Bava Batra* 20a), that we find the requirement of *bitul* only when attempting to reduce the space of the window to less than a *tephach*. If however one completely seals the window, *bitul* is not required. What is the basis if this distinction?

The *Mishnah Achrona* suggest that the requirement of *bitul* is rabbinic. This is out concern that one may take the item

that reduced the space of the window to less than *tephach* and continue under the incorrect assumption that *tumah* could not spread from one room to the next. Since the change in dimension may be difficult to appreciate, there is a concern that one would think that nothing had legally changed, when in truth the size is now greater than a *tephach*. In the case however where the window was completely sealed there is no reason for concern. Once the object has been removed, the window between the two *ohalot* is now open, so one would suspect that perhaps the legal status has changed.

The *Grach* (281) however provides a different explanation. He begins by questioning why the minimum size of a window for *tumah* to pass through is a *tephach*. Is it because it is like any gap or cavity between two *ohalot*, that once it is a *tephach* wide *tumah* can pass through? Or is this a specific law for a window, that if it is less than a *tephach*, *tumah* cannot pass through. He concludes that it must be the latter, for we will learn (13:1) that there are certain cases (e.g. if the window was made for lighting) where the gap can be smaller and *tumah* can still pass through, or even larger and it will not. In other words, depending on its use and origin, the size of a window to be defined as a *petach* will change. It happens to be that in our case it is a *tephach*.

Based on this understanding the *Grach* explains that if one placed something in the window, thereby reducing the space, unless he is *mevatel*, its presence does not impact its status as a *petach* – it is simply like a package in the doorway. Once the individual is *mevatel*, then the window loses its status as a *petach* and what remains is simply a hole. If however one completely seals the window, then *bitul* is not necessary, since it is not an issue of removing the status of a *petach* from the window. This is because the full seal acts as a *mechitzah* preventing the *tumah* from reaching the window at all.

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Revision Questions

אהלות ד' בי - ו' ה'

- Explain the debate regarding *tumah* that is found in a deep drawer which had a small hole in the side. (ד' בי)
- What is the law regarding the contents of such a draw if the *tumah* was outside the drawer? (ד' בי)
- What is the law concerning a chest covering a doorway, whose opening is facing outward and *tumah* is inside the chest? Inside the house? (ד' ג')
- What is the law regarding a case where a corpse was passed over the top of an exhaust of an oven, where the exhaust was outside the house and the oven was inside? (Include all three opinions.) (ה' א')
- What other case is debated in a similar manner to the previous question? (ה' בי)
- What further debate (relating to the previous question) did *Beit Hillel* then agree with *Beit Shammai*? (ה' ג')
- What is the law regarding the liquid contents of an earthenware utensil covering an *arubah*, where the lower room contained a corpse? (ה' ד')
- What is the law if the contents were poured into another metalware utensil in the same room (in the upper floor)? (ה' ד')
- What other similar case shares the same ruling? (ה' ד')
- List the utensils that would protect everything in the upper floor if used to cover the *arubah*. (ה' ה')
- Explain the rule that "all *tahor keilim* are able to save when combining with the walls of an *ohel*". (ו' ה')
- What further requirement is there on the *kli*, regarding the previous question? (ו' ה')
- Explain the following ruling including the example brought in the *Mishnah*: (ו' ז')
כָּשֶׁם שֶׁמִצִּילִין מִבְּפָגִים קָדָּם מִצִּילִין מִבְּחוּץ.
- How does a person (or *keilim*) acting as an *ohel* differ from a regular *ohel*? (ו' א')
- In what case would a house whose door is closed, still be *tameh* if a corpse passed under its *achsadra*? (ו' ב')
- In what circumstance does a wall made of stacked *kankanim* and covered with plaster constituted a proper *mechitza* for *tumah*? (ו' ב')
- Explain the following rule regarding the wall of a house: (ו' ג')
כִּתְלֵי הַמְּשֻׁמֵשׁ אֶת הַבַּיִת וְדוֹן מְחַצְהָ לְמַחְצָה.
- What is *R' Yehuda's* opinion regarding the above rule? (ו' 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? (ו' ג')
- What is the law regarding *tumah* found in the wall between two houses? (ו' ד')
- Explain the debate regarding the status of the *ma'aziva*? (ו' ד')
- What is the law regarding *tumah* that is found *bein ha'korot*? (Provide all three cases.) (ו' ה')

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3 January י"ט טבת	4 January כ' טבת	5 January כ"א טבת	6 January כ"ב טבת	7 January כ"ג טבת	8 January כ"ד טבת	9 January כ"ה טבת
Ohalot 6:6-7	Ohalot 7:1-2	Ohalot 7:3-4	Ohalot 7:5-6	Ohalot 8:1-2	Ohalot 8:3-4	Ohalot 8:5-6

