



## Tumah Passing Through a Kaveret

The ninth *perek* of *masechet Ohalot* discusses many cases involving *tumat hamet* and a *kaveret*. The *kaveret* itself is the subject of debate – both regarding its form and function. For simplicity we shall explain that it is a *kli* that is not susceptible to *tumah*.

The second *Mishnah* discusses a case where the *kaveret* is placed on its side at the doorway of the house with it opening facing outside the house. As opposed to the first *Mishnah*, the *kaveret* is raised a *tephach* from the ground. Since the *kaveret* is a *kli* it can act as an *ohel* to spread the *tumah* beneath it, but not prevent the *tumah* from passing through it to the other side. The *Mishnah* therefore explains that if the a *kezayit* from a *met* was either beneath or above the *kaveret* or inside the house, the *tumah* would spread and make the regions above and below the *kaveret* and the inside of the house *tameh*. The inside of the *kaveret* however would be *tahor*. We shall try to understand why.

The *Tifferet Yisrael* explains that the reason the inside of the *kaveret* remains *tahor* is because it is not susceptible to *tumah*. The *Mishnah Achrona* elaborates that this case is equivalent to a case of *kli cheres tzamid patil*. Recall that if an earthenware utensil is sealed, then its contents remain *tahor* in an *ohel hamet*. It is not susceptible to *tumah* from its outside and there is no way for the *tumah* to enter the *kli*. In our case, despite the fact that the *kaveret* is not sealed shut, since its opening is outside the house, outside the *ohel*, there is similarly no way for the *tumah* to enter the *kli*.

For this reason the *Mishnah Achrona* understands the position of the *Rash*, but finds the *Rambam* difficult. The *Rash* maintains that in the case in our *Mishnah*, everything inside the *kaveret* would be *tahor*. The *Rambam* however maintains that the items inside the *kaveret* that are vertically in line with the source of *tumah* would be *tameh*. How can we explain the *Rambam*?

The *Mikdash David* (*Inyanei Taharot* 2:2), citing the *Tosfot Yom Tov*, explains the *Rash* much like the *Mishnah Achrona*. In other words, since the opening of the *kaveret* is not inside the *ohel* it does not need to be *tzamid patil* in order to protect the contents from becoming *tameh*. He continues that

according to the *Rambam* however, for the *kli* to protect its contents from becoming *tameh* it must be sealed tight. If that is the case then why are all the contents of the *kaveret* not *tameh*?

The *Mikdash David* continues, that according to the *Rambam* the *kaveret* is not susceptible to *tumah* and indeed there is no way for the *tumah* to enter. Nevertheless, he points to the case of a *kli cheres* that is sealed tight to explain. In that case, if the *kli cheres tzamid patil* has the *tumah* beneath it, it cannot prevent other items above it (and in line with the *tumah*) from becoming *tameh*. It is as if the *tumah* jumps over the *kli cheres* to make the items above *tameh*. In our case also, since the *kaveret* is not sealed tight, it is as if the *tumah* jumps and makes those items in line with the *tumah* *tameh*.

One might still ask, that if the *tumah* “jumps” inside the *kaveret* making the items in line with the *tumah* *tameh*, then since the *tumah* spread beneath the *kaveret*, one might expect all the *tumah* to jump and make everything inside the *kaveret* *tameh* also. We return then to our original question: why according to the *Rambam* would only the items in line with the *tumah* become *tameh*.

Perhaps we can explain the *Rambam* differently. We have seen with *tumat ohel* that the *ohel* has the ability to spread *tumah*, make anything under the *ohel* shared with the *tumah*, *tameh*. Similarly if an item is above the *tumah*, it also become *tameh*. One way of understanding this law is that in the absence of an intervening *ohel* the *tumah* spreads up and down making everything *tameh*. According to this understanding, since there is no way of the *tumah* enter, one would expect that all the contents to remain *tahor* – much like the opinion of the *Rash*. Alternatively, items become *tameh* not due to *tumah* spread, but rather that the *Torah* simply defines anything in line with the *tumat ha'met* as being *tameh* unless it is protected inside a *kli tzamid patil* or there is an intervening *ohel*. According to this understanding, the contents of the open *kaveret* that are in line with the *tumah* would fit this qualification, and therefore be *tameh* – consistent with the position of the *Rambam*.

**Revision Questions**

אהלות ט' - א' - י"ד

- (Question A :) Regarding a *kaveret* that 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: ט')
  - 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: ט')
- (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' ג: ט')
- What is meant by the term *afutza*? (ט' ג: ט')
- If the opening of the *kaveret* was inside the house how would the law differ in the case of:
  - Question A? (ט' ה: ט')
  - Question B? (ט' ו: ט')
  - Question C? (ט' ז: ט')
- What is the law regarding a case where the *kaveret* “filled the house” in the three scenarios of Question A? (ט' ט: ט')
- Provide some examples for the previous question? (ט' ט: ט')
- 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' י: ט')
- Regarding a *kaveret* that that is outside and lying in its side what is the law regarding items above, below and inside the *kaveret* if: (ט' י"א: ט')
  - 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' י"ב: ט')
- In which three cases would the laws in the previous two cases change and what is the law in those cases? (ט' י"ב: ט')
- (Question A :) What is the law regarding an upright *kaveret* that is outside and: (ט' י"ג: ט')
  - 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' י"ג: ט')
- What other cases share the same law as the previous question? (ט' י"ג: ט')
- In which three cases would the laws in questions A and B change and what is the law in both those cases? (ט' י"ד: ט')

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17 January ד' שבט	18 January ה' שבט	19 January ו' שבט	20 January ז' שבט	21 January ח' שבט	22 January ט' שבט	23 January י' שבט
Ohalot 9:15-16	Ohalot 10:1-2	Ohalot 10:3-4	Ohalot 10:5-6	Ohalot 10:7-11:1	Ohalot 11:2-3	Ohalot 11:4-5

