



Crack in the Ceiling

The eleventh *perek* begins by discussing a house whose roof is cracked along the full width of the house, thereby creating two separate *ohalot*. The *Mishnah* teaches that if a corpse is located in the outer part, then the *keilim* located in the inside part of the *ohel* remain *tahor*. If however the *tumah* is located in the inner section, then the *keilim* in the other part are *tahor* provided that the gap is wide enough. Exactly how wide is the subject of debate. According to *Beit Shammai* it must be at least four *tephachim* wide. *Beit Hillel* however maintain that even a “*kol shehu*”, the smallest gap, is sufficient. *R' Yossi* continues by maintaining that *Beit Hillel* really require a *tephach*.

The *Bartenura* explains that the reason there is no debate when the *tumah* is located in the outer part, is based on the principle that “it is the way of *tumah* to leave but not enter”. In other words, since the two parts are considered separate *ohalim*, the *tumah* at the outer part does not enter and spread to the inner part. Regarding the second case however, where the *tumah* is located in the inner part, it is “the way of *tumah* to leave” – *sofo tumah latzeit*. Consequently the size of the gap become more important.

The *Tifferet Yisrael* explains that *Beit Shammai* require a gap of four *tephachim* since that is the size of a *makom* – a legal space or zone. That size is required to keep the two *ohalot* distinct and separate from one another such that we no longer apply the principle of *sofo tumah latzeit*. *Beit Hillel* however understand that once we have a crack running the full width of the house it is considered as if there is a partition between the two parts of the house. This is based on a principle that we have seen in the laws of *mechitzot* (partitions) of *pi tikra yored ve sotem* – we view the edge of the roof as if a partition is extending down from its edge.

The *Tifferet Yisrael* continues that even if we consider it is if there is a *mechitzah* separating the two parts of the house, that is not enough. Recall the case of a large closed cupboard with *tumah* inside it, that the house would still be *tameh* based on *sofo tumah latzeit*. This then explains why the *Tosefta* explains that the *kol shehu* referred to by *Beit Hillel* must be at least the width of a *chut hamashkolet* (the cord of a plumbline) to separate the *ohalot*.

The *Mishnah Achrona* notes that we learn from our *Mishnah* that the principle of *sofo tumah latzeit* is only applied with respect to a *petach* (opening) within an *ohel*. For example, between rooms or the case of the cupboard inside an *ohel*. If however we are dealing with two separate *ohalim*, then the law of *sofo tumah latzeit* is not applied even if the only way for the *tumah* to leave one *ohel* is via the other. The *Mishnah Achrona* cites the *Chacham Tzvi* is the source of this conclusion.

The *Chacham Tzvi* (103) uses our *Mishnah* as a difficulty on the *Rama*¹. The *Rama* (YD 371:4) cites those that rule stringently, that *Kohanim* should not go under the city gates through which the bodies are removed for burial. Due to the principle of *sofo tumah latzeit*, area under the archway would be considered *tameh met*. The *Chacham Tzvi* however reasons, that in our *Mishnah*, according to *Beit Shammai* as long as the gap wide enough for the corpse to be removed through it, it is sufficient to avoid *sofo tumah latzeit*. Yet according to *Beit Hillel* only the width of a *chut hamashkolet* is needed to ensure that the two parts are not considered one *ohel*. Once that is achieved, even if the only way for the *tumah* to leave is via the outer *ohel*, the *keilim* in the outer section are still *tahor*. Consequently, regarding the gate of a city, there certainly should not be a concern.²

Yisrael Bankier

¹ See also the *Tifferet Yisrael* (*Boaz* 11:1).

² The *Chacham Tzvi* describes those that are concerned to not go through those gates, as being *to'eh bedavar Mishnah* and should be rebuked, unless there is a *met* on its way and they are concerned to be there at the same time. In defence of the stringent position cited by the *Rama* the *Dagul Mervava* explains that they may have understood the *Mishnah* like the *Rosh*. The *Rosh* explains that when the *Mishnah* rules that the *keilim* are *tahor* it is referring to the *keilim* underneath the crack. This seems to align with their

understanding that it is only the *keilim* beneath the crack and not those on the other side that would be *tameh*, due to *sofo tumah latzeit*. He suggests that the commentary of the *Rosh* on *taharoth* was not yet widely known in the time of the *Chacham Tzvi*.

See however the *Eliyahu Raba* (11:1) that cites that *Tosefta* (8) that whenever there is air separating between *ohalot* we do not apply *sofo tumah latzeit* as an addition proof against this stringency.

Revision Questions

אהלות טי: טי"ו – י"א: ה'

- What is the law regarding an "aron" that is wide at its base and narrow at the top where one touched "above"? "Below"? (טי: טי"ו)
- What is the law if the aron was narrower at the top? (טי: טי"ו)
- Explain the debate when the walls are vertical. (י: טי"ו)
- Explain how an aron is structured like a gluskom and the law in that case? (י: טי"ו)
- What is the law regarding an earthenware barrel that is seated on top of tumah? (זי: טי"ו)
- What is the law if the tumah is under the belly of the barrel? (Provide both cases.) (זי: טי"ו)
- In what four cases would the law change? (זי: טי"ו)
- What is the law regarding a house with an arubah and tumah is found in the house? Under the arubah? (יא: יי)
- How does the law differ if a person placed their foot over the hole? (יא: יי)
- What is the law if a kezayit of tumah is placed partially under the arubah? (יא: יי)
- Regarding the previous three questions how does the law differ if the arubah is less than a tephach? (Include the opinions when where debated.) (יב: בי-גי)
- What is the law regarding a case where multiple arubot are on top of one another and tumah is found in the house? Under the arubot? (יד: יי)
- What is the law if a utensil that was susceptible to tumah was placed of one of the arubot? (יד: יי)
- What is the law if the utensil was not susceptible to tumah? (יד: יי)
- Regarding the previous three questions, how does the law differ if the arubot are less than a tephach? (Include the opinions where debated.) (יה: יי)
- Regarding a house with an arubah, what is the law if an earthenware utensil the size of the arubah has tumah beneath it and is placed on the floor? Is a tephach above the ground? (יז: יי)
- Regarding the previous case, what is the law if the utensil was placed under the lintel? (יז: יי)
- Explain the debate regarding a case where a house's roof was cracked along its width and tumah was found in the inner part of the house. (יח: יי)
- What is the law regarding a cracked achsadra where tumah is found on one side? (יח: יי)
- Regarding the previous question, in which three cases listed would the law change? (יח: יי)
- Explain the debate regarding a case where a person was lying under the crack of the achsadra. (יח: יי)
- Can folded clothing lying on the floor beneath the crack in the achsadra cause the tumah to transfer to the other side? (יח: יי)
- Regarding a case where a person is leaning out the window of a house over a kever, when is the ruling debated and when does everyone agree that the tumah is transferred into the house? (יח: יי)
- Which other case is debated in a similar manner? (יח: יי)

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*
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Efrat, Israel

Shiur in English

Sunday -Thursday

Rabbi Mordechai Scharf
9:00am
Kollel Magen Avraham
Reemon Neighbourhood

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Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rabbi E. Kornfeld
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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
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

