



## Six Sefeikot

The *Mishnah* (4:5) teaches that there are six *sefiekot*, cases of doubt involving *tumah* and *terumah*, that the *Chachamim* rule that the *tumah* should be burnt. There is a *mitzvah* to preserve *terumah* – *mishmeret terumati* – so the ruling of the *Mishnah* requires thought.

The *Tifferet Yisrael* notes that normally when considering *rabbinic* forms of *tumah*, the *Chachamim* rule that the *terumah* cannot be burnt, in order that it is clear that the *tumah* is *rabbinic* in origin. In this case however, it is different. For example, we will discuss the first case of *tumat beit ha'pras*. Recall that the *beit ha'pras* is a field in which a grave has been ploughed through. The concern is that a small bone from the corpse may have been dragged along by the plough a significant distance. The *Chachamim* therefore treated the area of concern within the field as being *tameh*. The first case in the *Mishnah* is if *terumah* entered a *beit ha'pras*. The *Tifferet Yisrael* explains that if the *terumah* was indeed located in a place that was *tameh*, it would have been *tameh* on a biblical level. The same can be said for the other cases listed in the *Mishnah* also. It is for this reason that the *Chachamim* treated these cases differently and ruled that the *terumah* must be burnt. (See the *Mishnah Achrona*.)

The question may still be asked. Since these are cases of doubt, how can the *Chachamim* allow the *terumah* to be burnt?

The *Sefer HaTerumah* (*Hilchot Eretz Yisrael* 5) explains that the *terumah* we are discussing in the *Mishnah* is *rabbinic terumah*, e.g. produce that was

grown in pot without a hole. Since the *terumah* is *rabbinic*, they were lenient in these cases of doubt to allow them to be burnt. If however the question was regarding *terumah* on a biblical level, unless we knew for certain that the *terumah* became *tameh*, it would be forbidden to burn it.

*R' Efraim* however disagrees. He understands that the *Torah's* requirement of *mishmeret terumati* only demands that one prevent the *terumah* from becoming *tameh*. It however does not prohibit one from burning *terumah*. His proof is from *erev Pesach*, where we allow one to burn *chametz* that is *terumah*, already from the time that *chametz* is prohibited only on a *rabbinic* level. If it is prohibited to burn *terumah*, then the *Chachamim* should not be allowed to require burning *terumah* early.

It is important to note that the *Tosfot* (*Pesachim* 13a) explains that there is no problem burning the *chametz terumah* at that time even if you consider burning a violation of *mishmeret terumati*. This is because since it would become *assur* a short while later anyway, *mishmeret terumati* would not apply.

The comment of the *Tosfot* leads us to an interesting third position brought in the *Minchat Elazar*. He explains, that since the *Chachamim* forbade the consumption of *terumah* in these six cases, even though on a biblical level they do not require burning, they can still be burnt since *mishmeret terumati* would not apply to this *terumah* that cannot be consumed.

*Yisrael Bankier*

**Revision Questions**

טהרות ד' – ה' ד'

- What is the law if a crow carrying a *kezayit* from a *met* passes by and there is a doubt if it passed over a person? *Keilim*? (ד' ד')
- What is the law regarding the *keilim* if one pours liquid from one to the other and a *sheretz* is found in the lower *kli*? (ד' ד')
- What are the six *sfeikot* in which the rule is that *trumah* would be burnt? (ד' ה')
- In what cases are we *toleh trumah* in a case where the *safek* is between two *rokin*? (ד' ו')
- How does the law differ if the case involved one *rok*? (ד' ו')
- List some of the *sfeikot* that the *Chachamim* ruled were *tahor* even in a *reshut ha'yachid*? (ד' ז')
- What are the three opinions regarding the doubtful case involving floating *tumah* that the *Chachamim* ruled was *tahor*? (ד' ח')
- What is the case in which we rule: "משפך משקיף לטמא, טמא"? (ד' ט')
- What is the case in which we rule: "ו...גלגל טמא, טהור"? (ד' ט')
- What is *R' Yosi*'s opinion regarding *safek mashkin*? (ד' י')
- What is the law regarding: (ד' י"א)
  - *Safek yadayim*?
  - *Safek divrei sofrim*? (Describe such a case.) What case is the exception?
- Which *safek* is *taharat Prishut*? (ד' י"ב)
- What is the law regarding *safek sheratzim*? (ד' י"ב)
- When is *safek negaim tahor*? (ד' י"ב)
- What is the law regarding the ownership of *safek Bechorot*? (ד' י"ב)
- Can a *safek nazir* drink wine? (ד' י"ב)
- Describe the case of *safek korbanot* and what is its ruling? (ד' י"ג)
- Explain the debate regarding a case in which one path is *tahor* and the other is *tameh* and one is not sure which path he took. (ה' א')
- List some other cases that share the same rule. (ה' א')
- Explain the debate regarding a case in which there is a dead *sheretz* and a dead frog and one touched one of them but is unsure which one. (ה' ב')
- What is the law regarding a case with two paths, one *tameh* and the other *tahor*, where one walked on one and then handled *trumah* food, then ate it, went through the *tahara* process, walked on the other path and then handled other *trumah* food? (ה' ג')
- How does the law differ if the original food was not eaten? (ה' ג')
- How does the law differ if the person also did not go through the *tahara* process? (ה' ג')
- What other case is brought that is similar to the one in the previous questions? (ה' ד')

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| Sunday              | Monday              | Tuesday             | Wednesday          | Thursday           | Friday             | שבת קודש           |
|---------------------|---------------------|---------------------|--------------------|--------------------|--------------------|--------------------|
| 27 June<br>י"ז תמוז | 28 June<br>י"ח תמוז | 29 June<br>י"ט תמוז | 30 June<br>כ' תמוז | 1 July<br>כ"א תמוז | 2 July<br>כ"ב תמוז | 3 July<br>כ"ג תמוז |
| Taharot 5:5-6       | Taharot 5:7-8       | Taharot 5:9-6:1     | Taharot 6:2-3      | Taharot 6:4-5      | Taharot 6:6-7      | Taharot 6:8-9      |

