



Volume 6. Issue 37

A Flying Ohel

This week we began learning about the *para aduma* – the red heifer – ashes of which were an essential ingredient in the water used to purify one that came into contact with a corpse. In the third *perek* we learnt about the full process from the earliest preparation through to the completion of the ceremony. Indeed this process involved many stringencies.

One of these requirements (which was the subject of debate) is that the children that went to collect the water would travel on an ox while seated upon large doors or boards that lay horizontally on the back of the ox. This measure was to ensure that the children, who were raised in an environment protected from any impurity, would not become *tameh* if any part of their body extended outside the animal and passed over an unmarked grave. Presumably the door served as an *ohel*, and thereby acted as a barrier preventing any *tumah* from reaching the child. *R' Yehuda*, cited in the *Tosefta (Para 2)* however argued that this was not necessary. An ox that was sufficiently wide would be enough as the animal itself could serve as a protective *ohel*.¹

The question raised on this *Mishnah*, and this solution, is that the *Gemara (Gitin 8b)* rules that a “thrown-*ohel*”, or an *ohel* in motion, cannot serve as an *ohel*; it cannot serve as a protective barrier. The door resting on the back of the animal seems to qualify as a thrown-*ohel*, so what benefit could it serve?

The *Tosfot (Sukkah 21a)* explain that the *Gemara* must be ruling like the opinion of *R' Yehuda* who maintains that the door was not, or more accurately, could not be used. Consequently, the *Tana* cited in our *Mishnah* must rule that a thrown-*ohel* can function as an *ohel*.

The *Tifferet Yisrael* however disagrees. Firstly, the *Gemara (Eiruvin 30b)* states that a thrown-*ohel* cannot

function as an *ohel*. Furthermore, the contradiction remains in *Halacha*: we rule that a thrown-*ohel* cannot function as an *ohel (Rambam Tumat Ha'Met 11:5)* and we rule like our *Mishnah* that the doors were placed on the ox (*Rambam Para 2*).

The *Tifferet Yisrael* therefore presents a different answer. The case referred to from which we learn the law of a thrown-*ohel*, refers to one that travels in a chest (above the ground) through areas outside Israel. Due to the uncertainty regarding places of *tumat met*, areas outside *Eretz Yisrael* were deemed *tameh* by rabbinic decree. The *Beraita* records the debate regarding this case and *Rebbi* rules that the occupant of the chest is *tameh* as the chest cannot act as the protective barrier. This rule is despite the fact that the chest is large enough such that it is not susceptible to *tumah* and that the chest was elevate off the ground. Nonetheless, the moving *ohel* does not serve to protect the person inside the chest.

The *Tifferet Yisrael* explains that in those cases the object which is attempting to act as an *ohel* is a *kli*. *Keilim* in general cannot act as an *ohel* to protect against *tumah*, but can act as an *ohel* to spread *tumah*. Now even though such large utensils (greater than 40 *seah*) can act as an *ohel* when stationary, when in transit they are treated like all other *keilim*.

Our case of the door is different. It is not a *kli*. Granted that if it was supported by people or other *keilim* it would share the same rule as *keilim* (ie, spread but not protect), but when placed on the back of animal it can function as an *ohel* and protect the child rider. Consequently we find that according to the *Tifferet Yisrael* the rule that a thrown-*ohel* cannot function as an *ohel* only applies to objects that are *keilim* or objects that that are supported by people or *keilim*.

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¹ The above explanation follows the opinion of the *Bartenura* that the doors were used due to the concern that the child would extend its arms outside the animal. The *Tifferet Yisrael* however explains that the *Chachamim* argue that the door could be relied upon to alleviate the requirement of having a rotund bovine. According to

this understanding it is *R' Yehuda* that is be more strict in not allowing the door to be relied upon and instead requiring a large ox.

Revision Questions

נגעים י"ד – י"ג – י"ב

- Explain what was done with the oil during the final stages of the purification of the *metzora*? (י"ד: י"ג)
- Which two points are the subject of debate regarding the previous question? (י"ד: י"ג)
- Explain the debate regarding one whose financial status changes in the process of bring the *korbanot* of a *metzora*? (י"ד: י"א)
- What is the law regarding a poor *metzora* that brought the *korbanot* brought by a wealthy one? (י"ד: י"ב)
- Is the law different if the situation was reversed? (י"ד: י"ב)
- What category of *korban* does one bring for their child? (י"ד: י"ב)
- What is the law regarding a case where the *korbanot* of two *metzora'im* were mixed, one set was offered, then one of the *metzora'im* passed away? (י"ד: י"ב)

פרה א' – ג' – א'

- What are the three opinions regarding the requisite age of a cow for it to be used for *para aduma*? (א' – א')
- What are the three *halachot* that R' Yehoshua heard and how did Ben Azai explain them? (א' – א')
- What are the three opinions regarding the requisite age of a bull for it to be used for *para aduma*? (א' – ב')
- What are the ages of the following animal that are brought as *korbanot*: Lambs? Rams? (ג' – א')
- What is the name given to a sheep in its thirteenth month and what is the law if it is offered as a *korban*? (א' – ג')
- Which *korbanot* are valid from when the animal is thirty days old? Eight days old? (א' – ד')
- Can a pregnant cow be used for *para aduma*? (א' – ב')
- Can a cow purchased from *goyim* be used for *para aduma*? (א' – ב')
- Which two *Menachot* are the only ones that must be brought from *chadash* and from within *Eretz Yisrael*? (א' – ב')
- What is the law regarding a *para aduma* that:
 - Has black horns or black hooves?
 - Is dwarfed?
 - Had a wart removed? (ב' – ב')
 - Was born through caesarean section?
 - Was used to purchase a dog?
 - Was ridden upon? (ג' – ב')
- Complete following rule: כשרה, _____, פסולה _____ (ג' – ב')
- What is the law regarding a *para aduma* on which a bird rested? (ד' – ב')
- Explain the debate regarding the black hairs that would disqualify a *para aduma*. (ב' – ה')
- Describe how the *kohen* was prepared prior to *sreifat para aduma*. (א' – ג')
- Describe how the water was brought to *har habayit* and what was done in advance to facilitate it. (ג' – ב')
- Where was the existing *eifer chatat*, how was it extracted and what was done with it? (ג' – ג')

Local Shiurim

Sunday -Thursday

After maariv
Mizrachi Shul

Friday & Shabbat

10 minutes before mincha
Beit Ha'Roeh

Next Week's Mishnayot...

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | שבת קודש |
|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|--------------------------------------|
| 1 st November י"ד חשוון | 2 nd November ט"ו חשוון | 3 rd November ט"ז חשוון | 4 th November י"ז חשוון | 5 th November י"ח חשוון | 6 th November י"ט חשוון | 7 th November כ' חשוון |
| Parah 3:2-3 | Parah 3:4-5 | Parah 3:6-7 | Parah 3:8-9 | Parah 3:10-11 | Parah 4:1-2 | Parah 4:3-4 |

