



## OVERVIEW of the Daf

### 1) Wine

A Baraisa elaborates on the type of wine used to compare to blood.

R' Yitzchok bar Avudimi asserts that the examination is done in a simple Tiberian cup.

The rationale for this ruling is explained.

### הדרן עלך כל היד

2) **MISHNAH:** The Mishnah discusses different types of discharges that could occur at childbirth and whether they render a woman *temei'ah*.

### 3) Formless mass

R' Yehudah in the name of Shmuel and R' Yochanan disagree about the point of dispute between Rabanan and R' Yehudah regarding a lifeless mass.

These explanations are successfully challenged and R' Nachman bar Yitzchok offers his own explanation of the dispute.

The Gemara records a second version of Shmuel's and R' Yochanan's understandings of the dispute.

Three Baraisos are cited and explained that present additional opinions concerning a woman's status following the delivery of a formless mass.

R' Yochanan cites R' Shimon ben Yochai for a fourth explanation of the dispute.

### 4) A tube

R' Yirmiyah inquires about blood that comes out of a woman through a tube.

R' Zeira proves that she is not *temei'ah*.

This position is unsuccessfully challenged.

It is suggested that this matter is subject to dispute amongst Tannaim.

The relevant Baraisa is cited and explained. ■

## REVIEW and Remember

1. What is the point of dispute between R' Yehudah in the name of Shmuel versus R' Yochanan?
2. Explain the principle **אי אפשר לפתיחת קבר בלא דם**.
3. How do we determine the status of a woman who delivers a formless mass?
4. What is the meaning of the phrase **בבשרה**?

## Distinctive INSIGHT

*The point of dispute between Tanna Kamma and R' Yehuda*

הרי זה ספק לידה ספק זיבה מביאה קרבן ואינו נאכל

The Mishnah at the beginning of the perek introduced a disagreement regarding a woman who had a miscarriage and the piece which was discharged appeared to be a piece of flesh. Tanna Kamma ruled that if it had some blood with it, she is *temeiah*, but without any blood with it the woman is *tehorah*. R' Yehuda contends that the woman is *temeiah* whether the piece of flesh had blood with it or not.

The Gemara attempts to explain the underlying point upon which this disagreement hinges. R' Nachman b. Yitzchok suggests that the issue regarding this woman's status is whether the miscarriage and the opening of the womb necessarily is accompanied with the release of blood. Tanna Kamma holds that blood is not necessarily released with the opening of the womb, and R' Yehuda says that although we do not see any blood with this piece of flesh, we know that there must be blood every time the womb opens, so the woman is *temeiah*.

Ramban notes that there is the view of R' Yehoshua b. Levi (29a) who holds that when a woman miscarries, we have a standard assumption that when most women miscarry, the miscarriage is a fetus, and not an empty sack. Therefore, we might say that we should follow the majority and say that this woman miscarried a fetus. Nevertheless, here we are discussing a case where the woman had not yet established her status as being pregnant, so there is no assumption to be made about this miscarriage.

The Gemara follows up and shows that according to the explanation given by R' Nachman b. Yitzchok, the disagreement in our Mishnah is the same as found in a Baraisa. A woman in her days of potential *zivah* experiences labor pains for two days, and on the third day she miscarries. However, the woman does not know what was discharged, whether it was a fetus, or an empty sack, and she is not even sure if it had any blood with it. Rashi explains the various doubts involved. If it was a fetus, she is not a *zavah* at all. If it was a sack and it also had blood, she is a major *zavah*, requiring seven clean days and an offering. If it had no blood, she is a minor *zavah*.

Chachamim hold that due to this doubt, she must bring an offering of two birds, an *olah* and a *chattas*, need-

## HALACHAH Highlight

### Hearing a recording of a woman's voice

"בבשרה" אמר רחמנא ולא בשפופרת

"In her flesh" is what the Torah says and not in a tube

Teshuvos Yad Chanoch<sup>1</sup> was asked whether it is permitted for a man to read shema while the recorded voice of a woman singing can be heard. Does the halacha of **קול באשה ערוה** apply even to a recording of a woman's singing voice? In his response he noted that Chazal used the term **באשה** which implies that the restriction applies only when the voice is emanating from a woman. He proved this reading of the word from our Gemara. The Gemara teaches that if the blood of a woman exits through a tube she is not a niddah. This ruling is derived from the pasuk that states: **זבה בבשרה** meaning that it must flow from her body and not through a tube. Rashi<sup>2</sup> explains that the term **בבשרה** teaches that it must flow through the normal channel and cannot exit through a tube. This teaches that the prefix "**ב**" indicates that it must emerge from within it. Similarly, since Chazal used the prefix "**ב**" before the word **אשה** they were teaching that a woman's voice is an **ערוה** only when it emanates from her body and not if it is heard from a recording. He goes on to cite numerous other instances where an exposition is based on this understanding of the prefix "**ב**".

Teshuvos Pri Hasadeh<sup>3</sup> disagrees and contends that the

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restriction of **קול באשה ערוה** applies even when the woman's voice is audible from a recording. The rationale behind the restriction of **קול אשה** is that a woman's voice can generate improper thoughts. Even if the woman singing is in another room a man may not read shema since the sound of her voice can generate improper thoughts. Teshuvos Chelkas Yaakov<sup>4</sup> also maintains a stringent opinion about this matter and explains that a woman's voice is an **ערוה** and it is irrelevant whether one knows what she looks like or not or whether it is a recording since the voice in and of itself is considered an **ערוה**. ■

Tosafos adds that the opinions in the Baraisa hold that a woman experiences labor even for a miscarriage. This is why the blood seen on the days leading up to the "birth" are not zivah. ■

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1. שו"ת יד חנוך סי' ג'.
2. רש"י ד"ה בבשרה.
3. שו"ת פרי השדה ח"ג סי' ל"ב.
4. שו"ת חלקת יעקב או"ח סי' ל'. ■

## STORIES Off the Daf

### Opening the Grave

אין פתיחת הקבר בלא דמים

Death is something that is difficult for us to contemplate. Each of us is mortal and will eventually be as powerless as the niftar, so confrontation with death makes us feel very uncomfortable.

Rav Yechezkel Michel Stern, shlit"a, uses a similar concept to explain why kindness one does with the dead is called **חסד של אמת**. On the surface it seems difficult why dealing with a niftar or attending a levayah is called **חסד של אמת**. After all, our sages in Moed Katan 28 explicitly say that one who does

kindness with the deceased will be rewarded even in this world. One who eulogizes others will be eulogized; one who buries the deceased will be buried. The answer is that one who acts with kindness towards the deceased does so completely out of altruistic reasons. One would not bestow kindness merely for what he will receive in this world after he dies, since he wants to live and doesn't want to think about the realities of what will happen to him after death."

Rav Shlomo Kluger, zt"l, explains this differently. "Kindness to the deceased is called true kindness since it is different than bestowing kindness on the living. One who is alive and asks for charity, for example, may need the money or he may not. But one who is

deceased definitely needs people to attend to his body. It is therefore called true kindness."

The Chasam Sofer, zt"l, points out that it is ironic that the chevra kadisha in most places take exorbitant prices for burial plots, essentially holding up the niftar's family in a very unkindly manner. He concluded his words of protest with a gut-wrenching play on words from a statement found on today's daf. "I guess these strange fellows take our sages' statement **אין פתיחת הקבר בלא דמים** as a strange kind of instruction. Although this statement is a halachah in the laws of seeing impure blood, they understand it to mean that one who purchases a grave must pay heavily!" ■

1. רעיונות לדרוש, ע"י קל"ט ■