בס"ד

MISHNAH YOMIT

VOLUME 24 · ISSUE 28 · PARASHAT CHAYEI SARA

Checking a Beit HaPras

The last two *perekim* of *Ohalot* discuss the *Beit HaPras*. This generally refers to a field in which a grave has been ploughed through. We have learnt that if someone walks through the field they are *tameh*. This is out of concern that they may have touched or moved a small bone that may have been dragged along by the plough. Nevertheless, the *Mishnah* (18:4) teaches that in some circumstances we can check the area in which the person walked to determine if they are *tameh*.[1] The *Mishnah* teaches that *Beit Shammai* and *Beit Hillel* agree that the technique can be used for someone that was on his way to offer the *korban pesach*, but not for *terumah*. They however argue whether it can be used for a *Nazir*. We shall try to understand this *Mishnah*.

The *Bartenura* explains that the *tumah* in a *beit ha'pras* is rabbinic. Since not bringing the *korban pesach* is liable to *karet*, they did not enforce their *gezeira* in that case. Consuming *terumah* is only a positive *mitzvah*, and therefore the *gezeira* is still in place.

The *Mishnah Achrona* cites *Rashi* who provides another difference between *korban pesach* and *terumah*. *Korban pesach* is time critical – there is a particular day that the *korban* must be offered. That is not true for the consumption of *terumah*.

The *Mishnah Achrona* notes that the explanation thus far appears to be regarding whether we check, to potentially make the *kohen tahor*, in order that he may eat *terumah*. That explanation would fit a reading of the *Mishnah* that had *"l'ochlei terumah"*. Our version however only has *"le'terumah"*. That being the case it implies the we are concerned with food that is *terumah* rather than a *kohen*.

If the concern is regarding *terumah*, and we do not check the *beit ha'pras* for its benefit, then it would mean it would be *tameh* forever. That being the case we would need to fall back on the first explanation that the *Chachamim* applied their *gezeira* when there is a positive *mitzvah*. The *mitzvah* would be *"mishmeret trumati"* – protecting the *terumah* from becoming *tameh*.

Turning our attention to the case of the *Nazir*, in our *Mishnah* we have that *Beit Shemesh* is lenient in ruling that we allow checking, whereas *Beit Hillel* disagree. The *Tosfot Yom Tov* however finds this difficult. Firstly, the *Mishnah* in *Nazir* (7:3) rules that a *Nazir* that walked through a *beit ha'pras* would not shave and bring the *korbanot* of a *nazir* who becomes *tameh met* (*megaleach*). Furthermore, this *Mishnah* is not listed in the *Mishnayot* in *Eduyot* where *Beit Shammai* are more lenient than *Beit Hillel*.

The *Eliyahu Raba* writes that the positions in our *Mishnah* should be switched. Nevertheless, the *Tosfot Yom Tov* continues that even according to that understanding, checking would be required. Consequently, if a bone was found on the path that the *nazir* took, he would be considered *tameh*. That would still conflict with the *Mishnah* in *Nazir*, which simply rules *"eino megaleach"*, implying in all circumstances.

The *Tosfot Anshei Shem* however maintains the version we have. Nevertheless he explains that when *Beit Hillel* maintain that there is no checking, it is actually a leniency. In other words, even if one did inspect the path and find a bone, it would be immaterial, and the *Nazir* would not *megaleach*. The *Mishnah Achrona* explains similarly and elaborates, that according to *Beit Hillel*, since the *Chachamim* do not know whether a bone was dragged along at all, they considered it like *tumat tehom* – *tumah* that no one knew anything about – which would not ruin the count of a *Nazir* (see volume 22 issue 28).

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[1] See the *Tifferet Yisrael* (*Boaz*) for a lengthy discussion on the type of checking that is being considered in this *Mishnah*.

REVISION QUESTIONS

אהלות ט"ו:ב' – י"ח:ה'

- Provide some examples for the position of *R' Akiva* regarding the previous question. (ט"ו:ב')
- What is the law regarding case where one finds a buried corpse? (ט"ו:ג')
- At what point is the area defined as a *sh'chunat k'varot*? (ט"ו:ג')
- Describe the manner in which the area is checked. (ט"ו:ד')
- What is the law if a stream cuts through the search area? (ט"ו:ה')
- List three cases that do not have the law of *tevusah*. (ט"ו:ה')
- How does a field become a *beit ha'pras*? (י"ז:א')
- How large is the resulting area of the *beit ha'pras*? (י"ז:א')
- How do the dimensions differ if the field is sloping? (Include both opinions.) (י"ז:א')
- In what three cases would the dimensions of the *beit ha'pras* be smaller? (י"ז:ב')
- Explain the debate regarding whether a *beit ha'pras* can be the basis for another *beit ha'pras*. (י"ז:ב')
- What are the six cases of ploughed fields that had sources of *tumat met* in them that do not result in being a *beit ha'pras*? (י"ז:ג')
- What is the law regarding a field into which the soil of a *beit ha'pras* was washed? (י"ז:ד')
- What is the law regarding the attic of a house built in a field in which the location of a grave is unknown? (י"ז:ה')
- Explain the debate regarding the minimum measure of the soil from a *beit ha'pras* to be a source of *tumah*. (י"ז:ה')
- What other soil has the same measure? (י"ז:ה')
- What are the three opinions regarding how grapes from a vineyard in a *beit ha'pras* can be gathered and pressed and remain *tahor*? (י"ח:א')
- What are the three types of a *beit ha'pras* and how do they differ from one another? (י"ח:ב'-ד')
- Explain the debate regarding the first category. (י"ח:ב')
- How can a *sde bochin* be checked? (י"ח:ד')
- For what purpose does checking the field help and for what purpose does it not help? (י"ח:ד')
- In what two ways can a *beit ha'pras* be purified? (י"ח:ה')
- What two methods does *R' Shimon* add? (י"ח:ה')

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NEXT WEEK'S MISHNAYOT

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	שבת קודש
15 November · ה' כסלו	16 November · ו' כסלו	17 November · ז' כסלו	18 November · ח' כסלו	19 November · ט' כסלו	20 November · י' כסלו	21 November · י"א כסלו
Ohalot 18:6-7	Ohalot 18:8-9	Ohalot 18:10 - Negaim 1:1	Negaim 1:2-3	Negaim 1:4-5	Negaim 1:6-2:1	Negaim 2:2-3

Have a good Shabbos!