



Heiset and Bnei Keneset

The *Mishnah* discusses several cases where a *zav* and another *tahor* person are performing an activity together. One case is where they are opening or closing a door at the same time. The *Chachamim* maintain that the other person remains *tahor* provided that they were not acting in opposite directions, e.g., the *zav* was opening the door while the other was closing it. To explain, a *zav* makes something else *tameh* by way of *heiset* – causing the other item to move. Consequently, when acting in opposite directions, the *zav* makes the other person *tameh* by way of *tumat heiset*.

The *Mishnah* however continues that while it is true the second person is *tameh* when it comes to handling the *terumah*, they *tahor* for “*bnei keneset*”.

The *Bartenura* explains that *bnei keneset* refers to individuals that are strict to eat even regular food in a state of *tahara*. The *Bartenura* explains that they are *tahor* for regular food because the interactions described in the *Mishnah* are not really *heiset*. Furthermore it is still doubtful whether the movement even occurred. In other words, we find the *tumah* that applies to the *terumah* in our *Mishnah* is a rabbinic stringency.

The *Mishnah Achrona* cites the *Tosfot Yom Tov* (5:5) who explains that *tumat heiset* is where the moved object or party is completely raised and move from their locations. The cases in our *Mishnah* however are where the *zav* and the other person are leaning on one another.

The term *bnei keneset* however requires some thought. It would seem that the term is a positive one; it refers to people that are strict to eat all food in a state of *tahara*. The *Tosfot* (*Nidah* 7a) however notes that in *Bechorot*

(36b) it has a seemingly negative connotation. As we have learnt in the past, a *bechor* (first born kosher animal) must be offered as a *korban*. If however it develops a blemish disqualifying its uses as a *korban*, it is simply given to a *kohen*. The *Mishnah* teaches that if the blemish was obvious, e.g., the leg was amputated or eye gauged out, then the blemish can be confirmed by three *bnei keneset*. *Rashi* explains that it refers to individuals that are not *chachamim*. In other words, regular people and not experts. How do we resolve these two meanings of the terms?

The *Tosfot* explains that even in our context the expression can be understand as implying individuals that are subpar. In both cases the term refers to individuals that are of a lower standard than others mentioned in the *Mishnah*. In *Bechorot* it referred to people who were not experts. In our *Mishnah* too, these people are deficient in that they cannot eat *terumah*.

The *Aruch LaNer* however understands that the *bnei keneset* is a positive term. He explains that it refers to *chaverim* in contrast to *amei ha'aretz* (uneducated and/or not particular with the laws of *tumah* and *maaserot*). The *Aruch LaNer* therefore explains that when the *Mishnah* in *Bechorot* explains that for certain blemishes even three *bnei keneset* would suffice it certainly was not allowing anybody - *amei ha'aretz* would not qualify². It is true, that *talmidei chachamim* fluent in all of *shas* are not required, yet a *chaver* is. This understanding is then consistent with the *Tifferet Yisrael* who explains that the *bnei keneset* mentioned in *bechorot* are people of some knowledge – “*ketzat bnei Torah*”.

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¹ Not that the *Rambam* read that they are *tahor le'beit hakeneset* and therefore has a different understanding of our *Mishnah*.

² The *Aruch LaNer* cites the *Gemara* (*Pesach* 49) the *amei ha'aretz* are *pasul le'edut* to support the position that they would not qualify in *bechorot*.

Revision Questions

מכשירין ו' ז' - ח'

- List some liquids that even if they come from a *tameh* person are not *metameh* or *machshir*. (ו': ג')
- Explain, in detail, the debate regarding the difference between *chalav isha* and *chalav behema*. (ו': ח')

זבים א' - א' - ג' - ב'

- What are the two debates between *Beit Shammai* and *Beit Hillel* in the first *Mishnah*? (א': א')
- How does *R' Elazar ben Yehuda* explain the second debate? (א': א')
- List all the opinions regarding a case where a *zav* is *ro'eh ker* in the *shiva neki'im*. (ב': א')
- How does the law change if he was *ro'eh zav*? (ב': א')
- What is the law regarding one that was *ro'eh*:
 - Twice in one day and once the next?
 - Three consecutive days? (ג': א')
- How long must the break be to be considered different sightings? (ד': א')
- What is the *shiur* for one *re'iyah* to make one a *zav gamur*? (ה': א')
- What is the law regarding one that was *ro'eh*: (ו': א')
 - In the day and during *bein ha'shmashot*?
 - Twice in consecutive *bein ha'shmashot*?
 - Once in *bein ha'shmashot*?
- Can an *eved* be *metameh zav*? A *saris*? A *tumtum*? (ב': א')
- What are the seven ways for checking a *zav* and why is the checking necessary? (ב': ב')
- Explain the debate regarding which *re'iyot* require *bedika*. (ב': ב')
- For how long after one is *ro'eh ker* is he not *metameh zav*? (ג': א')
- If a dog ate a *kezayit* from a *met*, within how long must it die for the dog to be *metameh* in an *ohel*? (ג': ב')
- What are the five ways a *zav* can *metameh* a *mishkav*? (ד': ב')
- What are the seven ways a *mishkav* can *metameh* a person? (ד': ב')
- What is the law regarding the cloths of a *tahor* that rode on the same horse as a *zav*? (א': ג')
- What is the law regarding a *tahor* that sat on the same bench as a *zav*? (List some other cases that share the same law.) (א': ג')
- Explain the debates regarding a *zav* and a *tahor* that were: (ג': ב')
 - Opening a door together?
 - Helping each other out of a pit?
- When would the *tahor* not become *tameh* if they were both unloading a donkey? (ג': ב')

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7 November ג' כסלו	8 November ד' כסלו	9 November ה' כסלו	10 November ו' כסלו	11 November ז' כסלו	12 November ח' כסלו	13 November ט' כסלו
Zavim 3:3-4:1	Zavim 4:2-3	Zavim 4:4-5	Zavim 4:6-7	Zavim 5:1-2	Zavim 5:3-4	Zavim 5:5-6

