

## They found a pretext

## עילה מצאו –

### OVERVIEW

The גמרא states that in doubtful situations there is no presumption of טומאה in א"י. The גמרא supports this assertion by citing ר"ל who said (concerning טומאה) that עילה מצאו וטהרו את ארץ ישראל (טומאה). Our רש"י here<sup>1</sup> interprets the word עילה to mean an excuse; a pretext. A minimal excuse was sufficient cause to neutralize the טומאה ספק and declare the area to be a מקום טהור. Our תוספות offers an alternate explanation.

פירש רבינו חננאל צלע ותלו הטומאה באותה צלע והשאר טהרו:

The ר"ה explained that the word עילה here means: ribs (of a skeleton).<sup>2</sup> They found ribs of a skeleton and they attributed the טומאה to that skeleton only; and the rest of the area was proclaimed to be טהור.<sup>3</sup>

### SUMMARY

רש"י interprets עילה מצאו that they found an excuse. The ר"ה interprets it that they found a rib (of a skeleton).

### THINKING IT OVER

What are the respective merits of the two interpretation of עילה מצאו?

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<sup>1</sup> ד"ה עילה.

<sup>2</sup> In (ויבן את) the תרגום of בראשית ב,כב. In ה"א instead of אל"ף with 'עילא מצאו' the text reads מסכת נזיר סה,ב. In (תרומים) the word עילא refers to the ribs or side of a person (or animal). עלעא is הצלע (עלעה) in other (תרגומים).

<sup>3</sup> This is referring to the laws of שכות קברים (in נזיר סה,ב) where one has to check that there are no other graves in the vicinity. ריש לקיש stated (there) that we can presume that this עילא or צלע is the only טומאה in this vicinity. The חכמים did not want to cause difficulties for the כהנים in א"י; so they minimized the חששות of טומאה.