



## OVERVIEW of the Daf

### 1) Sanctifying a pregnant animal (cont.)

R' Yosef rules that one does not violate the prohibition of slaughtering an unconsecrated animal in the Beis HaMikdash if he slaughters a sanctified mother with an unsanctified fetus in the Beis HaMikdash.

Abaye asks the same question regarding the prohibition of slaughtering a sacred animal outside of the Beis HaMikdash when the fetus was sanctified and the mother was not.

R' Yosef answers that the prohibition is not violated.

A second version of R' Yosef's response is presented.

2) **MISHNAH:** The Mishnah discusses many cases of extended an item's halachic status into another item.

### 3) Identifying the author of the Mishnah

The Gemara explains that the ruling regarding מדומע is inconsistent with the position of R' Eliezer.

It is then noted that the Mishnah's next ruling related to unconsecrated dough that was leavened with terumah does not follow the position of R' Eliezer.

R' Chiya bar Abba in the name of R' Yochanan explains that the Mishnah's ruling regarding mikvah follows R' Eliezer ben Yaakov.

This interpretation is rejected and Rabbah offers an alternative explanation of the Mishnah.

R' Chiya bar Abba explains that the Mishnah's ruling regarding the purification waters does not follow R' Shimon's position.

The rationale behind R' Shimon's position is explained.

The reasoning behind our Tanna's position is explained.

It is noted that the Mishnah's ruling regarding a beis hapras does not follow the view of R' Eliezer.

The Gemara begins to explain the rationale behind Rabbah's position. ■

## REVIEW and Remember

1. What is the point of dispute between Tanna Kamma and R' Yehudah?

2. What is R' Eliezer ben Yaakov's position regarding supplementing a mikveh with drawn water?

3. Which is poured into the container first; the ashes or the water?

4. Explain בית הפרס עושה בית הפרס.

## Distinctive INSIGHT

*Drawn water is disqualified for use in a mikveh*

שאוּבָה שֶׁהִמְשִׁיכָה כּוֹלָה טְהוּרָה

The Gemara cites the opinion of Ravin, in the name of R' Yochanan, who says that a mikveh which is made up from drawn water is kosher if the drawn water was poured upon the ground and directed to flow on the ground until it fell into a reservoir. This is a process known as המשכה.

In general, drawn water cannot be used as water for a mikveh. There are varying opinions regarding the nature of this issue. Rashbam in Bava Basra (66a) says that drawn water is disqualified for a mikveh only where the mikveh is completely filled with drawn water. If most of the forty se'ah of water which is necessary for a mikveh is collected from naturally flowing water (21 se'ah), and the remaining minority (19 se'ah) is from drawn water, the drawn water is nullified in the majority of kosher water, and the mikveh would only be rabbinically disqualified. Beis Yosef (Y.D. 201:3) writes that Rashi in Bava Kamma (67a) says that 3 log of drawn water is enough to disqualify a mikveh rabbinically. This indicates that Rashi agrees with Rashbam that if less than half of the mikveh is from drawn water that it is only rabbinically invalid.

Rabeinu Tam (Sefer HaYashar, Tosafos Bava Basra 66a) holds that a mikveh originally filled with drawn water is disqualified from the Torah. If the first water in a mikveh is drawn water, it can ruin the mikveh from the Torah, but if the mikveh already has naturally flowing water, if some drawn water is added it will only invalidate the mikveh rabbinically.

The Ras"h, in his Commentary to Mishnah Mikva'os (2:3), first explains that a mikveh which is entirely drawn water is rabbinically invalid. However, based upon a question from the verse in Vayikra (11:36), he determines that a mikveh must originate with "pure waters," and that there is a possibility that a mikveh fully of drawn water is disqualified from the Torah. Ra"n concludes that according to Ras"h, if the vessels used to transport the drawn water are not susceptible to tum'ah (stone or mud vessels), then the mikveh is disqualified rabbinically, but if the vessels used to draw the water were metal, which are susceptible to tum'ah, the mikveh is invalid from a Torah level.

Ra'aved (Ba'al HaNefesh) holds that if the drawn water flowed into the mikveh on its own without any human intervention, it is disqualified rabbinically. If it was filled

# HALACHAH Highlight

## Sourdough made of challah

ואין המחומץ מחמץ וגוי

*Dough that was leavened does not render another dough leavened etc.*

It happened once that challos were baked on the Yom Tov of Shavuos that happened to coincide with erev Shabbos. Some of the dough was taken off as challah and hidden away to be burned after Shabbos. After Shavuos when they were baking challos for the following Shabbos someone mistakenly took some of the challah that was to be burned and made it into sourdough to use to help the new dough rise. The normal procedure is to take the sourdough and mix it with a small amount of the new dough. Once that small amount of new dough begins to rise, it is inserted in the rest of the dough so that it will rise. This is the procedure that was followed in this case as well. After the challos were baked they realized what happened and inquired whether the challis may be consumed being that challah which is prohibited for consumption for non-kohanim was used to make the dough of the new challos rise.

Teshuvos Zivchei Tzedek<sup>1</sup> responded that the answer to this question is found in our Mishnah. The Mishnah teaches that dough of chullin that was leavened with terumah does not render another dough prohibited, except according to the calculation of the actual terumah content. Rashi<sup>2</sup> ex-

*(Insight...continued from page 1)*

by man, it is not kosher from a Torah level. The Torah instructs that a mikveh be similar to a natural spring, in that it be filled by the heavens, and not by man. However, the issue of the water being unacceptable after being drawn in a vessel is not mentioned in the Torah.

If the entire mikveh is drawn water, Shach writes (Y.D. 201:#17) that the view of Shulchan Aruch is that it is disqualified rabbinically, and Rema says that it is invalid from the Torah. ■

plains that when terumah mixes into some dough that dough becomes prohibited. If some of that prohibited dough becomes mixed with even more dough the status of the second larger dough is determined by the quantity of terumah that is in it. Meaning, if there is enough terumah to make the larger dough rise, it is prohibited but if the larger dough will rise only because some of the first, smaller dough is also in the mixture the second dough is permitted. Although Tosafos<sup>3</sup> disagrees with Rashi, his disagreement is due to the fact that he maintains that Rashi's explanation does not fit into the wording of the Gemara but he expresses no opposition to Rashi's halachic principle. Therefore, in this case since upon research and consultation it is clear that the quantity of challah that was mixed into the larger dough was not sufficient to make it rise the author of Teshuvos Zivchei Tzedek permitted the dough for consumption. ■

1. שו"ת זבחי צדק יו"ד סי' כ"ט
2. רש"י ד"ה ואין המחומץ
3. תוס' ד"ה ואין המחומץ ■

# STORIES Off the Daf

## Drawn Waters

מקוה שיש בה עשרים ואחת סאה

Today's daf discusses the parameters of adding drawn water to a mikveh.

It is hard to imagine living without modern conveniences. One of the most difficult mitzvos to fulfill was going to the mikveh during the days before electricity and the attendant ease of heating large quantities of water.

The author of the Shut Nivchar MiKessef, zt"l, writes that when he came to Chevron he found that no one

used the mikveh during the winter because of the intense cold. He made an effort to warm some water and inject it into the mikveh to enable people to use the mikveh. He explains why they didn't use the mikveh with a verse from the end of Tehillim: "לפני קרתו מי יעמוד—Before His cold, who can stand?"<sup>1</sup>

It was not always feasible to heat the mikveh, however. In one city, the mikveh was icy cold and the women of the town exhibited tremendous self-sacrifice by immersing in the freezing water. One woman had a health problem and could not immerse at all. The rabbi of her city wondered if she could possibly immerse in a pool of heated

water, which she could bear.

When this question was brought to the Tashbitz, zt"l, he forbade using heated water. "God forbid that she immerse in drawn water! The halachah is that immersing in drawn water is absolutely ineffectual. This is clear from a number of mishnayos, such as in Temurah 12. Regarding this unfortunate woman who cannot bear the cold, if feasible, they should do as they did for the kohen gadol on Yom Kippur. Let them heat up a metal bar and then carefully move it to the mikveh. In this manner, the mikveh will not be so cold."<sup>2</sup> ■

1. שו"ת נבחר מכסף יו"ד ס' י"ז
2. שו"ת תשב"ץ ח"א ס' מ"ו