

OVERVIEW of the Daf

1) The discussion between Chagai and the kohanim

The Gemara returns to a dispute between Rav and Shmuel mentioned earlier as to whether the kohanim erred in their response to Chagai HaNavi. According to Rav they made an error, but according to Shmuel they did not.

Unsuccessful challenges to Rav and Shmuel are presented.

2) The testimony of Yosef ben Yoezer

Rav taught that Yosef ben Yoezer testified that the liquids of the slaughtering house are tehorem, whereas Levi taught that the testimony referred to the liquids of the mizbeiach.

The Gemara demonstrates that Levi follows Shmuel's opinion that liquids are Biblically susceptible to tum'ah.

The Gemara further demonstrates that Shmuel follows Rav's teaching that Yosef ben Yoezer testified about the liquids of the slaughtering house.

Two Baraisos are cited, one in support of Levi and the second in support of Rav.

3) The Biblical status of liquids

R' Pappa asserts that even according to the opinion that maintains that liquids are Biblically susceptible to tum'ah, the liquids of the slaughtering house are not susceptible to tum'ah based on a Halachah L'Moshe MiSinai.

R' Pappa's assertion is successfully challenged.

R' Shimon stated earlier that liquids in the slaughtering house that are gathered in the ground are tehorem. R' Pappa explains that this ruling applies to a revi'is or more of water but not to blood.

4) Clarifying R' Yehudah's opinion

The Gemara returns to a statement by R' Yehudah cited earlier (ט) and deduces that R' Yehudah maintains that Biblically liquids can make utensil tmei'im.

The Gemara challenges this assumption from another statement of R' Yehudah, and Rav Yehudah in the name of Rav concludes that R' Yehudah retracted his original ruling.

An alternative answer is suggested but rejected.

The Gemara questions whether R' Yehudah retracted his earlier opinion only with regards to utensils but regards to foods he still maintains that liquids can make foods tmei'im or perhaps he retracted his opinion entirely and maintains that liquids can not even make foods tmei'im.

R' Nachman bar Yitzchak begins to attempt to answer this question. ■

Distinctive INSIGHT

Immersion in a natural spring for man and utensils

לא אמר אלא דהוי רביעית דחזי להטביל בו מחטין וצינוריות

When something is immersed in a natural spring (מעין) we do not have to have forty se'ah of water collected in one spot in order for purification to occur. Utensils, which might be very small, can be totally immersed in a small collection of water from a spring, and they are tehorem. The Rishonim argue whether this is the case in regards to the purification of man, as well. ר"ד (in Ba'alei HaNefesh) writes that a person can be purified by immersing in less than forty se'ah of water, if it is from a spring. A smaller person can suffice with less water, and a larger person can immerse in whatever volume he needs. However, ר"י (cited in Rosh, Hilchos Mikvaos, #1) holds that a spring can purify with less than forty se'ah only for utensils. Man, however, always requires forty se'ah, even for a small person.

Once a mikveh is kosher, we can add even large amounts of drawn water into it, and the mikveh remains kosher. This is the rule of זריעה. Just as a seed which is tamei becomes tahor once it is planted into the ground, so, too, drawn water becomes a valid component of a mikveh once it is blended into a kosher mikveh.

The question which the Achronim discuss is whether this same rule applies when drawn water is blended into a small collection of water from a spring. The מהרי"ק (Shoresh 56) writes that according to Rambam, who holds that even a person can immerse in a smaller amount of water from a spring, this collection of water is a full-fledged mikveh, and adding water will not interfere with its validity. However, according to ר"י, who holds that less than forty se'ah is only valid for utensils, can water be added to this small pool from a spring and have it retain its status of being kosher?

The מהרי"ק answers that once this pool is valid for even utensils, it has a status of a mikveh, and we can add drawn water to it even until we collect forty se'ah, in order that a person now be able to immerse. ■

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לעילוי נשמת

ר' חיים בן ר' מרדכי לייב

HALACHAH Highlight

The correct volume of water for a mikveh

ומים נמי לא אמרו אלא דהוי רביעית דחזי להטביל מחטין וצינורות אבל לא הוי רביעית טמאין

And even regarding water (it is only tahor) when it amounts to a revi'is because then it is fitting to immerse needles and spinning forks, but if it does not amount to a revi'is it is tamei.

The Rishonim differ over what type of immersion is being referred to in this passage. There are two types of immersion which are performed on vessels:

1. Immersion to purify the vessel from tum'ah (this law is no longer practiced today).

2. Immersion on a brand new vessel purchased from a gentile.

Tosfos¹ explains that the immersion referred to in our Gemora is specifically in reference to removing tum'ah from a vessel and therefore it's permissible to immerse it in this small quantity of water. However, regarding the immersion of a new vessel purchased from a gentile, one is scripturally (mid'oraisa) obligated to immerse it in a mikveh which contains 40 seah. Rashi maintains that the original law of immersing needles in a revi'is was ultimately annulled by the Rabbis². Tosfos³ disagrees, he maintains that this din (law) is still in effect.

The Acharonim⁴ point out that even according to Tosfos, the din is only relevant to Tum'ah and Taharah and therefore in regard to immersing new vessels one

REVIEW and Remember

1. Explain the dispute between Rav and Levi regarding the testimony of Yosef ben Yoezer.
2. How did the Gemara demonstrate that Shmuel follows Rav's position regarding the liquids of the slaughtering house?
3. Why does R' Pappa distinguish between water that is more or less than a revi'is?
4. How did the Gemara know that according to R' Yehuda liquids can not make utensils tmei'im?

would always require a mikveh which contains 40 seah.

The Shulchan Aruch⁵ and other poskim also rule this way. ■

1. תוס' בע"ז דף ע"ה ב' ד"ה מים
2. בנזיר ל"ח א'
3. כאן בד"ה אלא. וכן משמע ברשב"א בתוה"ב בשער המים ש"א, שכתב את הדין שמעיין מטהר בכל שהוא (והביאו בב"י ביו"ד סימן ר"א סכ"ח וקצת קשה שמסתימתם משמע שכ"ה גם בזמה"ז, וכטור בסימן ק"כ)
4. וכ"כ סמ"ק סימן קצ"ט. וכ"ה בש"ך ביו"ד סימן ר"א ס"ק מ"ב וכ"כ הגר"א בסימן ק"כ ס"ק ד'. ובבאר הגולה שם ס"ק ז'. וע"ע בש"ך בסימן ר"א בס"ק ב' וס"ק כ' וכ"ט
5. השו"ע ביור"ד סימן ק"כ ס"א וכ"ד ש"ך גר"א ובה"ג הנ"ל. ולגר"א כ"ה מד"ת. ומאידך עה"ש הקיל בשעת הדחק. ובלאו הכי קשה לשער אימתי הוא מעיין שמתתום ואימתי באמת הוא מנהרות סמוכים כמש"כ בדרכי תשובה סימן ר"א ס"ק צ"ה ■

STORIES off the Daf

The foundation must be strong

כן העם הזה וכן הגוי הזה לפני וגו'

The possuk the Gemara brings refers to the foundation laying of the second Beis HaMikdash. The Navi says in the name of Hashem that the fact that it was laid by unscrupulous people did not find favor in Hashem's eyes. The emphasis on having a pure foundation is brought in many places, and was well known to the Gedolei Yisroel. One not too famous example took place during

the building of the Volozhiner Yeshiva. R' Chaim of Volozhin zt"l, besides undertaking the monetary and spiritual management of the yeshiva, was also intimately involved with all aspects of its actual building. No detail was too trivial to be overlooked. One of the things upon which he insisted was that the foundation be laid only by religious Jews. For those who knew R' Chaim, it was a great shock to see him involved in mundane affairs, and speculations abounded as to his reasoning. Finally, at the Chanukas HaBayis ceremony, R' Chaim himself shed light on the matter when he mentioned a tradition he had

received from his great Rebbi, the Vilna Gaon. He explained that if a shul or Beis Midrash could be built from its foundation until its finishing touches purely for the sake of heaven, it would be impossible for someone davening or learning there to have impure thoughts! This, explained R' Chaim, was the reason he was so adamant about every aspect of the actual building being done properly. The effect that would have on the future learning done there would be immeasurable. ■

