



Purifying Mei Gevaim

One cannot use drawn water to fill a *mikveh*. The *Mishnah* (2:7) records a debate whether one can use rainwater that collected in jugs that were left on the roof to dry out. Since one did not intend to collect the water, it would seem, that that which collected is not considered drawn water. Everyone agrees in the *Mishnah* that if one picked the jugs up to pour them into the *mikveh*, it would be invalid as they would then be considered drawn water. Smashing the jugs could possibly be one solution. *R' Eliezer* however argues that if the jugs were placed on the roof when rain clouds had already formed, then smashing the jugs would only work, if a majority of valid rainwater had already collected in the *mikveh*. *R' Yehoshua* however argues that having rainwater in the *mikveh* first is unnecessary, and the jugs can either be smashed or tipped over for the water to run into the *mikveh* below.

The *Rishonim* explain the basis of the debate differently. The *Bartenura* understands that when breaking the vessel, the water that runs into the *mikveh* is valid based on the principle of *hamshachah*. To explain, drawn water can be used to fill a *mikveh* provided it is poured at a distance from the *mikveh* and flows into the *mikveh*. The *Bartenura* therefore understand that in this case the water that collected is considered drawn water. The *Mishnah Achrona* explains that when everyone agrees that if the jugs are picked up and poured into the *mikveh* that it is invalid, it must mean that it is poured directly into the *mikveh* and not by way of *hamshachah*.

Note however that the *Rambam* rules (*Mikvaot* 4:8) that *hamshachah* would only work as long as there is a majority of valid water in the *mikvah*. Explaining the *Mishnah* in this way, it appears that the *Rambam* rules like *R' Eliezer* who requires rainwater to already be in the *mikveh*. The *Rambam* (*Mikvaot* 4:4) however rules like *R' Yehoshua* in the *Mishneh Torah*. From a simple reading of *R' Yehoshua* it appears that one could fill the *mikveh* entirely with the water jugs if there was sufficient water. That is indeed how the

Rambam explains *R' Yehoshua* in his commentary to the *Mishnah*. The *Tosfot Yom Tov* notes this difficulty in understanding the *Rambam* that it appears to contradict his ruling that *hamshachah* only works if the drawn water is minority of the water in the *mikveh*.

The *Tosfot R' Akiva Eiger* however does not understand the question from the outset. The limit of *hamshachah*, for there to be a majority of rainwater in the *mikveh*, is if one is doing *hamshachah* with drawn water. The *Tosfot R' Akiva Eiger* suggests that the *Rambam* understands that in this case, if the jugs are smashed or tipped over (but not picked up and poured out) the water is not considered drawn water at all. That being the case, the entire *mikveh* could be filled with that water.¹

In a similar vein, the *Mishnah Achrona* explains that the *Rambam* understands the *Mishnah* like the *Rosh*. The *Rosh* understands that the *Mishnah* is not based on *hamshachah*. The *Mishnah* is addressing whether the water is considered drawn water or not (as suggested in the opening to this article). If it is smashed, then it is not and if it is picked up and poured out then it is.

If we explain the *Mishnah* like the *Rosh*, how do we understand *R' Eliezer*? If it was at time when there would possibly be rain, why does he require the *mikveh* to already have valid water inside it? The *Mishnah Achrona* explains that in that context the water *appears* to be intentional collected and therefore appears to be considered drawn water. *R' Eliezer* therefore rule stringently out of concern that someone may misunderstand the situation and thereby allow drawn water to be used to fill a *mikveh*. The requirement of having valid water already in the *mikveh* in that situation makes it clear that the water on its own, if it was indeed drawn, is invalid.

Yisrael Bankier

¹ See also the *Rashash*. *R' Akiva Eiger* however continues that the question is still relevant to the *Bartenura* who explains that *R' Yehoshua* maintains that *hamshachah* could be used to fill an entire *mikveh* with drawn water.

Revision Questions

מקראות א' ז' – ג' ב'

- What is the technical definition of a *mikveh* and what is it used for? (א' ז')
- What is the body of water that is the next level above a *mikveh* and in what ways is it similar to a *mikveh* and in what ways is it similar to a *maayan*? (א' ז')
- What is *mayim mukin*? (ח' א')
- For what is a *maayan* the only option? (ח' א')
- What is the law regarding one who is unsure whether they immersed in a *mikveh*? (א' ב')
- What other two cases of doubt share the same rules as the previous question? (ב' א')
- What is the law regarding a *mikveh* that was used for immersing *tameh* items and was later measured and found to contain water less than the required *shiur*? (ב' ב')
- Which forms of *tumah* are the subject of debate regarding the previous question? (ב' ב')
- What is the doubtful case involving drawn water that the *Chachamim* deemed as being *tahor*? (ג' ב')
- What is the debate regarding when, and the debate regarding the measure, of drawn water that invalidates a *mikveh*? (ד' ב')
- Explain the debate regarding a *mikveh* that filled naturally in an area that contained three small pockets (*log*) of drawn water. (ה' ב')
- In what case could one that scrapes mud to the side of the *mikveh* invalidate it? (ו' ב')
- Explain the debate regarding how one could use the rain water that collected in jugs on one's roof for a *mikveh*. (ז' ב')
- What other case is debated in a similar manner to the previous question? (ח' ב')
- Which further case is listed in the *Mishnah* that appears to be similar to the previous ones but does not include two opinions? (ט' ב')
- Explain the debate regarding a *mikveh* (40 *seah*) that is a mixture of mud and water. (י' ב')
- In which case do they both agree? (יא' ב')
- In which case do they argue? (Include all opinions.) (יב' ב')
- What is the law regarding two *mikvaot* that only had one and a half *log* of drawn water fall in each and these *mikvaot* were then combined to form one *mikveh*? (יג' א')
- Explain the debate regarding a *pasul mikveh* as a result of containing three *lugin* of drawn water that was divided in two. (יד' א')
- What are the ways in which one can fix a *pasul mikveh*? (Include both opinions.) (טו' ב')

Melbourne, Australia

Sunday -Thursday
10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Friday & Shabbat
10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Efrat, Israel
Shiur in English

Sunday -Thursday
Rabbi Mordechai Scharf
9:00am
Kollel Magen Avraham
Reemon Neighbourhood

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mishnahyomit.com/shiurim

Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rabbi E. Kornfeld
Rabbi C. Brown
<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

SHIUR ON KOL HALOSHON

Rabbi Moshe Meir Weiss
In US dial: 718 906 6400
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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
25 July ט"ז אב	26 July י"ח אב	27 July י"ט אב	28 July כ' אב	29 July כ"א אב	30 July כ"ב אב	31 July כ"ג אב
Mikvaot 1:7-8	Mikvaot 2:1-2	Mikvaot 2:3-4	Mikvaot 2:5-6	Mikvaot 2:7-8	Mikvaot 2:9-10	Mikvaot 3:1-2

