



Volume 6. Issue 52

Maayan Spilling over a Shoket

One cannot use drawn water to fill a *mikveh*. Exactly what constitutes drawn water and other cases that may relate to this law have dominated our attention this week. For example a *shoket* (stone trough) that was fashioned prior to being attached to the ground would be defined as a *kli* (utensil). Consequently rain water that collects in such a *shoket* would be considered invalid for use for a *mikveh* – either to immerse in (even if it was large enough) or if that water spilled over into a large enough pit (4:5). The water's presence in something defined as a utensil is enough for it to be considered drawn thereby invalidating it. The *Mishnah* (5:1) extends this example explaining that if the water from a *ma'ayan* (spring) flowed into a pit after passing in and out such a *shoket* it would still be invalid.

The *Rash*, as quoted by the *Tosfot Yom Tov*, finds the ruling of the *Mishnah* difficult for two reasons. The first is that invalid water that is attached to a *mayan* becomes valid. Since in this case the water in the *shoket* remains attached to the *maayan* it should be considered no worse than a mixture of drawn water and spring water. Consequently even though the mixture is not considered fully spring water, it should still be valid to use as a *mikveh* (see previous issue). In short, this water, even though inside something defined as a *kli*, is still attached to the *maayan* and should be considered valid.

The second difficulty presented is that we will learn (6:2) that one can immerse utensils inside other immersed utensils. It appears that the question is the there is nothing wrong with immersing utensils in water that is inside a utensil. In general the problem is that water that collects inside a utensil is itself invalid; it is considered drawn as explained above. In this case

since the water should be valid there should be nothing wrong with immersing utensils inside the *shoket* itself. Have presented both the difficulties, it appears that both must stand for there to be any question on our *Mishnah*.

The *Rash* answers that there is a difference between utensils that are attached to the ground and movable utensils. The reason being is that one might place a *shoket* close to a *maayan* relying on a hole to connect them. However this hole might be too small to be considered legally joined and water in the *shoket* would be unknowingly *pasul*. The *Beit Yosef* bring another reason for greater concern here in the name of the *Rashba* who explains that if this case were permitted people might easily misunderstand the *halachic* mechanism in place and begin to use regular baths.

The *Rosh* also differentiates in a similar way explaining that the wall of the *shoket* perceptively acts as a division between it and the *maayan*. Consequently one might think that it is permitted to immerse in such a *shoket* when the water is not flowing at that moment from the *maayan* – which is incorrect. Such a mistake would not occur in the case where one is immersing utensils in other utensils that are themselves immersed in a *mikveh*.

The common thread between these answer is that the water is invalid out of concerns about what people might understand and act upon had these water been permitted.

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Revision Questions

מקואות ג: א' - ה': ה'

- What is the law regarding two *mikvaot* that only had one and a half *log* of drawn water fall in each and these *mikvaot* where then combined to form one *mikveh*? (א: ג)
- Explain the debate regarding a *pasul mikveh* as a result of containing three *lugin* of drawn water that was divided in two. (א: ג)
- What are the ways in which one can fix a *pasul mikveh*? (Include both opinions.) (ב: ג)
- What is the law regarding a pit of drawn water through which a stream passes? (ג: ג)
- Explain the debate regarding a *mikveh* into which two people pour one and a half *lugin* of drawn water. (ג: ג)
- If the water was poured with how many utensils would the *Chachamim* agree? (ד: ג)
- In what case with the *Chachamim* disagree even if it was poured with one hundred utensils? (ד: ג)
- What is the *tzinor* that is referred to in the fourth *perek*?
- Can water in a utensil that was placed under a *tzinor* be used for a *mikveh*? (א: ד)
- Is the material of the utensil important? (א: ד)
- Explain the debate between *Beit Shammai* and *Beit Hillel* regarding the previous questions. (א: ד)
- When would a *tavla* placed under a *tzinor* invalidate the water that passes over it for use in a *mikveh*? (ד: ג)
- If one carved holes in the *tzinor*, when would it invalidate the water? (ג: ד)
- How could the situation be remedied naturally? (ג: ד)
- What is the law regarding a *tzinor* that widens in the middle? (ג: ד)
- What is the law regarding a case where rain water and drawn water mixes prior to entering the *mikveh*? (ד: ד)
- What if both streams entered the *mikveh* directly? (ד: ד)
- What is the difference if a *shoket* was present in an existing rock or if it was originally a separate *kli* and connected to the ground? (Five different laws.) (ה: ד)
- In the later case, how large must a hole be in its base such that water that passes over it is valid for use in a *mikveh*? (Include all opinions.) (ה: ד)
- Is water in a *shoket* flowing from a *maayan* valid? (א: ה)
- Regarding the previous question, when could the water that collects further down stream be valid? (א: ה)
- What is the law regarding water the collected in a *breicha* from a *maayan* that was divided then reconnected with the stream from the *maayan*? (א: ה)
- Explain the debate regarding water from a *maayan* that passed over *keilim*? (ב: ה)
- Regarding water that spread from a *mayan* into multiple stream, when would adding drawn water to it change its status? (ג: ה)
- Explain the debate regarding the status of the oceans. (ד: ה)
- What is the law regarding “*zochalin*”? (ה: ה)
- What is the law regarding “*nofin*”? (ה: ה)
- Explain the debate regarding immersing in *nofin* that became *zochalin*? (ה: ה)

Local Shiurim

Sunday -Thursday

15 minutes before *mincha*
Mizrachi Shul

Friday & Shabbat

10 minutes before *mincha*
Beit Ha'Roeh

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
14 th February כ"ג שבט	15 th February כ"ד שבט	16 th February כ"ה שבט	17 th February כ"ו שבט	18 th February כ"ז שבט	19 th February כ"ח שבט	20 th February כ"ט שבט
Mikvaot 5:6-6:1	Mikvaot 6:2-3	Mikvaot 6:4-5	Mikvaot 6:6-7	Mikvaot 6:8-9	Mikvaot 6:10-11	Mikvaot 7:1-2

