



Volume 6. Issue 53

## Cracks that Combine Mikvaot

The ways that bodies of water can combine is important for a number of reasons. For example, it may allow two pits of rain water to combine together to make the minimum quantity for a *mikveh*. Also we have learnt that if a valid *mikveh* is considered connected to a pit of drawn water it can turn that pit into a valid *mikveh*. Ordinarily, the radius of a hole or pipe that connects the two *mikvaot* must be *k'shfoferet ha'nod* ("like the spout of a leather water bottle") – the width of two fingers. The *Mishnah* that we will focus on however discusses whether a crack, not a hole, in the wall that divides two bodies of water is enough for them to be considered joined.

The first opinion rules that only if the cracks are in the direction of the *sheti* would the pits be considered joined. *R' Yehuda* however rules in the opposite way that the crack must be in the direction of the *erev*. What exactly is the *sheti* and *erev* for a wall is the subject of debate in the *mefarshim*.

The *Rambam* and *Bartenura* explain that *sheti* refers to a vertical crack while *erev* refers to a horizontal one. The *Rash* and *Rosh* however hold that reverse is true. The *Mishnah Achrona* lends support to the first opinion as the *Rash* himself cites a *Tosefta* (see *Ohalot* 6:3) referring to the *sheti* as being in the vertical direction. The *Tifferet Yisrael* suggest that the latter opinion may be borrow these terms from fabric on a weaving machine, where the *sheti* refers to the long warp threads. This would match the generally larger dimension of the wall – its width.

Continuing with the understanding of the *Rambam*, how should we understand the debate? What difference does the direction of the crack make? The *Tifferet Yisrael* explains that there are two ways to understand what the appearance of a crack does. The first is that there are two separate laws relating to cracks and holes. Holes require a particular diameter or area while cracks do not. This is provided that the crack is substantial and lasts. Consequently according to the first opinion a vertical crack would combine the *mikvaot*. In the presence of a horizontal crack the wall is effectively divided in two, with the top piece resting heavily on the lower one and is likely to close. *R' Yehuda* however understands that cracks are no different to holes and require a gap. However in the case of a horizontal gap, since the structure of the upper half is unstable it is likely to become comprised and is therefore considered not present.

This is consistent with *R' Yehuda's* opinion earlier regarding a comprised wall (6:1).

The *Tifferet Yisrael* however anticipates the following question. According to his explanation the *Rambam's* ruling are difficult. The *Rambam* rules like *R' Yehuda* earlier that a rickety wall does not required a breach *k'shfoferet hanod* (*Mikvaot* 5:4), yet rules like the *Chachamim* here that the *mikvaot* only combine in the case of a vertical crack (*Mikvaot* 8:5). Consequently if the *R' Yehuda's* opinion here is in line with the earlier *Mishnah* then the *Rambam's* rulings are contradictory. Nevertheless the *Tifferet Yisrael* explains that the case here is different. In the earlier case the wall already could not stand independently. In that case the *Rambam* agrees with *R' Yehuda*. Here however, the wall has only a crack and will eventually become weakened which is not reason enough for the *Rambam*.

The *Mishnah Achrona* explains the opinion of *R' Yehuda* in a different manner, thereby avoiding the problem dealt with by the *Tifferet Yisrael*. He explains that *R' Yehuda* requires the area of crack to be *k'shfoferet ha'nod* (rather than ordinarily requiring the diameter to be so). Moreover the crack must specifically be a horizontal one such that waters combine across the full width. The reason is that where ever anyone immerses, they will be opposite the crack that combines the two *mikva'ot* (see also the *Taz* on YD 101:54). (The *Tifferet Yisrael* however finds this explanation difficult since even with a horizontal crack, one could immerse small utensils without them passing in front of that crack.)

The *R' Yerucham* however explains that both the *Chachamim* and *R' Yehuda* require the area of the (valid) cracks to be *k'shfoferet ha'nod*. If so, about what do they argue? The *Mishnah Achrona* explains that according to this understanding, everyone would agree that the direction of the crack does not matter. They are however concerned that if the water level changes, thereby reducing the water flow through the crack, one will not notice and immerse in an invalid *mikveh*. The *Chachamim* argue that this would not be a concern in the case of a vertical crack as the changes to the water level are visible. *R' Yehuda* however argues that cracks are generally fine and gradual changes would not be as recognisable compared with horizontal crack the completely appears above the water line.

*Yisrael Yitzchak Bankier*

### Revision Questions

מקראות ה' - ז' - ב'

- When can a wave detached from the ocean purify? (ה: ז')
- When can the foot-holes created by donkeys qualify as a *mikveh*? (ה: ז')
- What is the case of the *chardelit* that is the subject of debate between *Beit Shammai* and *Beit Hillel*? When do they agree? (ה: ז')
- Can one immerse items in the cracks of a *mikveh*? (א: ז')
- Explain the debate regarding when one can immerse items in the *Ukat HaMe'arah*? (א: ז')
- Can one immerse a bucket full of utensils at the same time? (ב: ז')
- What is the law regarding a case where three *mikva'ot* each had twenty *seah* of water and three *temei'im* immersed in each of them causing the waters to mix where: (ג: ז')
  - The end *mikveh* consisted of drawn water?
  - The middle *mikveh* contained drawn water?
- What is the law regarding a case where a sponge containing three *lugin* of drawn water fell into a *mikveh* containing less than forty *seah*? (ד: ז')
- Explain the debate regarding the manner in which one would be allowed to immerse in chest that is immersed in the ocean. (ה: ז')
- Regarding the previous question, how does the law change if one wished to immerse inside a large basket? (ה: ז')
- What other two laws are mentions regarding baskets in the same *Mishnah*? (ה: ז')
- What is the law regarding utensils that are immersed in a partially submerged *tameh gistrah*? (ו: ז')
- What other case is brought that is similar to the one in the previous question? (ו: ז')
- What are the dimensions described as *k'shfoferet hanod* and for what are these dimensions important? (ז: ז')
- What is the law if there is a doubt whether these dimensions are satisfied? (ז: ז')
- Explain the debate regarding what items would reduce a hole that size. (ז: ז')
- Explain how one can "*metaher*" one *mikveh* with another. (ח: ז')
- What would be the solution to the previous question if the source *mikveh* was on forty *seah* and the other empty? (ח: ז')
- Explain the debate regarding the direction of a crack in a wall between to *mikvaot* such that they combine without a hole *k'shfoferet hanod*. (ט: ז')
- If the dividing wall broke at the top, how much water must pass between the two such that the *mivaot* combine? (ט: ז')
- What is an *avik* and when would it invalidate a *mikveh*? (י: ז')
- Explain the debate regarding the *metaheret* in the a *merchatz*. (י: ז')
- Can snow be used to a fill a *mikveh*? (יא: ז')
- Can hail be used to a fill a *mikveh*? (יא: ז')
- What is the law if cooking water was used to fill the *mikveh*? (יב: ז')
- When would the volume of fruit juice that was added to a *mikveh* be considered and when would it be ignored? (יג: ז')

### 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
21 <sup>th</sup> February ז' אדר	22 <sup>th</sup> February ח' אדר	23 <sup>th</sup> February ט' אדר	24 <sup>th</sup> February י' אדר	25 <sup>th</sup> February י"א אדר	26 <sup>th</sup> February י"ב אדר	27 <sup>th</sup> February י"ג אדר
Mikvaot 7:3-4	Mikvaot 7:5-6	Mikvaot 7:7-8:1	Mikvaot 8:2-3	Mikvaot 8:4-5	Mikvaot 9:1-2	Mikvaot 9:3-4

