



Potent Tumah

During our study of *Orlah* we have learnt some laws that more broadly relate to mixtures involving prohibited ingredients. For example we have learnt that if a mixture contains a prohibited leavening agent (e.g. *kelei kerem* sourdough mixed into regular dough) then the mixture is always prohibited irrespective of the ratio of permitted ingredients to the prohibited ones (2:4)¹. A debate ensues in that *Mishnah* regarding whether the fact that the prohibition is not annulled also has implications for the laws of *tumah* as well. Ordinarily, for *tameh* foodstuff to transfer *tumah* it needs to at least be the size of a *kebeitza*. *Beit Hillel* maintains that in our case as well this requirement is maintained. *Beit Shammai* however argue, since the prohibited sourdough is not annulled, even if it is less than a *kebeitza*, the entire mixture is *tameh*. Let us try and understand this debate.

The *Mishnah Rishona* explains that *Beit Shammai* understood that the requirement of a *kebeitza* for *tumah* transfer is because this size is substantial – it is significant (*chashuv*) (*Pesachim* 49b). In our case, since the sourdough is not *batel* (annulled) it should also be considered significant and therefore transfer *tumah* to the bread.

Beit Hillel however would argue in one of two ways. Either that the reason for a *kebeitza* is not because of significance, but rather it was the *shiur* that was handed down *halacha le'moshe mi'sinai*. Consequently not being *batel* is irrelevant as a *kebeitza* is always required. Alternatively *Beit Hillel* might agree with everything that *Beit Shammai* claim. Nevertheless, since the law that the leavening agent is rabbinic, the *Chachamim* had no desire to increase *tumah* due to this rabbinic law and therefore excluded *tumah* from it (see *Chulin* 1:2).

Note that according to the *Mishnah Rishona*, in *Beit Shammai's* view the sourdough is considered as if it is a *kebeitzah*. The *tumah* is therefore transferred from the sourdough to the rest of the dough. If that were the case it would seem that the rest of the dough would have had to

undergo *hechsher*. (For any food to become susceptible to *tumah* it must first come into contact with one of the seven liquids. This is referred to as *hechsher*.)

The *Rashash* however feels that it is obvious that according to *Beit Shammai* the dough does not require *hechsher*. How then should we understand the position of *Beit Shammai* according to the *Rashash*?

Perhaps the answer is found in the *Rashash's* own doubt regarding whether the dough would require *hechsher* according to *Beit Hillel* if a *kebeitzah* of dough was mixed in. He explains that either *Beit Hillel* understands that the *tumah* is transferred and the dough would thus require *hechsher*. This is much our understanding of the *Mishnah Rishona's* explanation of *Beit Shammai* above. Alternatively, the *Rashash* explains that “even without *hechsher*, the sourdough could cause it to be *tameh* since it was leavened because of it”. To explain, since the sourdough affected the dough (and is not *batel*) it makes the entire mixture into one *tameh* body.²

As a postscript, the next *Mishnah* records that *Dustai* heard from *Shammai* that he held the same opinion as *Beit Hillel*. The *Bartenura* writes, “And thus is the *Halacha*.” The *Shoshanim Le'David* questions the necessity of this *Mishnah* and the *Bartenura's* comment; we rule like *Beit Hillel* against *Beit Shammai* anyway!

When there is a debate between *Beit Shammai* and *Beit Hillel*, we do not rule like *Beit Hillel* because *Beit Shammai* is wrong. “*Elu ve'elu diver elokim chayim*” - they are both really considered correct; it is just that *Beit Hillel* merited having the practical *Halacha* according to their opinion. *Dustai's* comments were therefore necessary for the sake of truth. *Shammai* agreed with *Beit Hillel* and *Beit Shammai's* position was in error.

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¹ Note that this law only applies when the *issur* and *heter* are of the same type (*min b'mino*). *R' Akiva Eiger* notes that sourdough tastes differently and is referred to by a different name than dough. Consequently, one might think that the law should not

apply in such a case. Nevertheless, he explains, since dough can become sourdough it is considered *min b'mino*.

² Perhaps this is much like the case in *Keilim* (18:7) where a bed leg that is *tameh midras* and is attached to a bed makes the entire bed *tameh midras* while it remains attached.

Revision Questions

ערלה א' ח' – ב' : י"ב

- Which of the four laws applies to grape-kernels (*chartzanim*)? (א' ח')
- According to *R' Yosi* can one plant a shoot/branch of an *orlah* tree? (א' ט')
- What things become annulled in one part to 100? (ב' א')
- What things become annulled in one part to 200? (ב' א')
- Can *orlah* and *kil'ei kerem* combine to prohibit a mixture containing *chulin*? (ב' ב')
- In a mixture, how can *trumah* combine with *chulin* to annul *orlah*? (ב' ב')
- In a mixture, how can *orlah* combine with *chulin* to annul *kilayim*? (ב' ג')
- What type of mixture containing *chulin* and *orlah* is never absolved irrespective of the ratio of *chulin* to *orlah*? (ב' ד')
- What did *Dostai* testify that *Shammai* held? (ב' ה')
- Forbidden product adds a distinct flavour when mixed with an ordinary product it prohibits the entire mixture. When is the rule applied:
 - Only in a stringent manner? (ב' ו')
 - In both a stringent and lenient manner? (ב' ז')
- What is the law regarding dough, into which *chulin* leaven (enough to leaven the dough) got mixed in, followed by *trumah* leaven (enough to leaven the dough)? (ב' ח')
- What is the law regarding dough, into which *chulin* leaven (enough to leaven the dough) got mixed in and caused it to leaven, followed by *trumah* leaven (enough to leaven the dough)? (ב' ט')
- Can different spices, each prohibited by the same prohibition, combine to prohibit a mixture? (ב' י')
- Can the same spices, each from prohibited by different prohibitions, combine to prohibit a mixture? (ב' י')
- What is the law regarding dough, into which *chulin* and *trumah* leaven became mixed and leavened the dough, yet each of which on their own were not enough to leaven the dough? (ב' י"א)
- There are two opinions about the previous question. *Yo'ezer Ish HaBira* explained that *Rabban Gamliel HaZaken* held like which of the two opinions? (ב' י"ב)

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Orlah 2:13-14	Orlah 2:15-16	Orlah 2:17-3:1	Orlah 3:2-3	Orlah 3:4-5	Orlah 3:6-7	Orlah 3:8-9

