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Eighteen Measures

The *Mishna* had stated: They enacted eighteen measures on that day.

The *Gemora* asks: And what were those eighteen enactments?

The *Gemora* cites a *Mishna*: ***[Various degrees of tumah are distinguished. The greatest of all is that of a human corpse, called the prime origin (lit., 'father of fathers' – 'avi avos') of tumah; this is followed in successively decreasing stages by 'origin' (lit., 'father' – 'av') of tumah, first, second, third and fourth degrees of tumah. When an object becomes tamei through contact with another, its degree of tumah is one stage below that which defiles it. By Biblical law tamei food or drink does not defile the person who comes into contact with it; but the Rabbis enacted that it does, and so he in turn renders terumah unfit by contact. Ordinary unsanctified food (chullin) does not proceed beyond the second degree; i.e., if second degree chullin touches other chullin the latter remains tahor; but if it touches terumah, it becomes a third degree. Again, terumah does not go beyond the third degree (hence it is then designated 'unfit', not 'tamei' in respect of other terumah); but if it touches flesh of sacrifices (kodashim) it renders this unfit, and it is called 'fourth degree'.]*** The following render terumah unfit ('unfit' – 'passul' denotes that it may not be eaten on account of tumah, but does not defile any other terumah by its contact; 'unclean' – 'tamei' denotes that it defiles other food too by its touch; the *Mishna* means that all these items are rendered a 'sheini' – 'second degree of tumah'): one who eats food of the first degree or the second degree, or who drinks *tamei* liquid; one who enters with his head and the majority of his body into drawn water (water which had passed through a vessel, as opposed to 'living water', i.e., well water, river water, or rain water collected in a pit); a *tahor* person upon whose head and the majority of his body there fell three *lugin* of drawn water; a holy Scroll (containing Scriptural text); one's hands (that were not

washed); a *tevil yom* (one who was *tamei*, but has immersed himself in a *mikvah*; he is considered a *tevil yom* until nightfall) and food or utensils which were defiled by a liquid.

The *Gemora* asks: Which *Tanna* is it who holds (as stated in this *Mishna*) that one who eats food of the first or of the second degree, merely renders unfit (*passul*), but does not defile (*render it tamei* – that it can now render something else *tamei*)?

Rabbah bar bar Chanah said: It is Rabbi Yehoshua, for we learned in a *Mishna*: Rabbi Eliezer said: One who eats food that is a *rishon* (first degree of *tumah*) becomes a *rishon* himself. One who eats food that is a *sheini* (second degree) becomes a *sheini* himself. One who eats food that is a *shlishi* (third degree) becomes a *shlishi* himself. Rabbi Yehoshua said: One who eats food that is either a *rishon* or that is a *sheini* becomes a *sheini* himself. One who eats food that is a *shlishi* becomes a *sheini* with respect of *kodoshim* (he can render *kodoshim* into a *shlishi* through contact), but he does not become a *sheini* with respect of *terumah*. This (that if one eats *chullin* food that is a *shlishi*) is referring to a case where he ate *chullin* that was prepared in the purity of *terumah* (for a *Kohen* would sometimes eat their *chullin* in this manner in order that they should become accustomed to eating *terumah* with the proper purity). [Ordinary *chullin* cannot be a *shlishi*; that is why the case is explained in this manner.]

The *Gemora* asks: When one eats food of the first or of the second degree, why did the Rabbis decree *tumah* in his case?

The *Gemora* answers: It is because one may sometimes eat *tamei* food (*chullin*) and take a liquid of *terumah* and put it in his mouth and thus render it unfit (for it may touch the food still in his mouth; unfit *terumah* may not be eaten).

The *Gemora* asks: When one drinks *tamei* liquid, why did the Rabbis decree *tumah* in his case?



The *Gemora* answers: it is because he may sometimes drink *tamei* liquid and take food of *terumah* and put it in his mouth, and thus render it unfit.

The *Gemora* asks: But it is the same thing (*as the previous case; why mention them both!*)?

The *Gemora* answers: You might have thought that the first case is usual (*for while someone is eating, it is normal to take a drink*) but not the second (*for it is not common tendency to take a bite of food while someone is drinking, and therefore a Rabbinical measure is not required*); therefore he informs us (*that it is not so, and the decree was enacted by both cases*).

The *Gemora* asks: And one who comes with his head and the majority of his body into drawn water, why did the Rabbis decree *tumah* in his case?

Rav Bibi said in the name of Rav Assi: It is because originally people performed immersion in collected cave water, which were stagnant and smelly, and so they poured drawn water upon themselves; but when they began to make this (*the pouring of the drawn water*) an established law, the Rabbis imposed *tumah* upon it.

The *Gemora* asks: What is meant by 'an established law'?

Abaye said: They maintained that it is not this (*cave water*) which purifies, but both together purify.

Rava said to him: Then what did it matter, seeing that they did perform immersion in this (*the cave water*)?

Rather, said Rava, they maintained that it is not this (*cave water*) which purifies, but that (*the drawn water*).

The *Gemora* asks: And a *tahor* person upon whose head and the majority of his body there fell three lugin of drawn water, why did the Rabbis decree *tumah* in his case?

The *Gemora* answers: It is because if not this, the other would not stand. [A general measure had to be enacted even upon a *tahor* person, for had the Rabbis drawn a distinction, the former too would have remained unobserved.]

The *Gemora* asks: And why did the Rabbis impose *tumah* upon a holy Scroll (*containing Scriptural text*)?

Rav Mesharsheya said: It is because originally food of *terumah* was stored near the Torah Scroll, with the argument: This is holy and that is holy. But when it was seen that they (*the holy Books*) came to harm (on account of mice, who were attracted to the food), the Rabbis imposed *tumah* upon them.

The *Gemora* asks: And the hands (why was *tumah* imposed)?

The *Gemora* answers: It is because a person's hands are active (and are apt to touch parts of his body and then when he touches the *terumah*, it will be rendered inedible – Rashi's first explanation).

It was taught in a *braisa*: Also hands which came into contact with a holy Scroll disqualify *terumah*, on account of Rabbi Parnoch's dictum, for Rabbi Parnoch said in the name of Rabbi Yochanan: One who holds a Torah Scroll while it is bare (without a cover) will be buried naked (*without shrouds*).

The *Gemora* asks: 'Naked!' Can you really think so (this seems severe)?

Rather, said Rabbi Zeira, it means naked without good deeds.

The *Gemora* asks: 'Without good deeds!' Can you really think so?

Rather, the *Gemora* says, it means naked - without that good deed (to his credit).

The *Gemora* inquires: Which was first enacted? [Which of the following two decrees were enacted first? That unrinsed hands are *tamei*, or that hands which came into contact with a scroll become *tamei*?] If you will say that the former (unrinsed hands) was first enacted, why was it necessary for the other to be enacted? Rather, the latter was first decreed, and then it was enacted in respect of all (unrinsed) hands.

The *Mishna* had stated: And a *tevil yom* (also rendered *terumah* unfit through contact).

The *Gemora* asks: But the law of *tevil yom* is Biblical, for it is written: and when the sun is down, he shall be *tahor*; (and afterwards he shall eat of the holy things, i.e., *terumah*)?

The *Gemora* answers: Delete *tevil yom* from here.

The *Mishna* had stated: And food which was defiled through liquid.



The *Gemora* explains: Through liquid of which (*tumah*)? If you will say that it was through liquid which was defiled by a (dead) *sheretz*, then its law is Biblical, for it is written: and all drink that may be drunk (in every such vessel shall be *tamei*)? Rather, it means through liquid defiled by the hands, and it is a preventive measure on account of liquid defiled by a *sheretz*.

The *Mishna* had stated: And vessels which were defiled by liquid.

The *Gemora* explains: Vessels which were defiled by liquid of which (*tumah*)? If you will say by the liquid of a *zav*; but that is Biblical, for it is written: *and if the zav spit upon a person that is tahor; (then he shall immerse his clothes and immerse himself in water)*, meaning what (*the secretion*) is in the *tahor* man's hand have I declared *tamei* to you. Rather, it refers to liquid defiled by a *sheretz*, and it is a preventive measure on account of the fluid of a *zav*.

The *Mishna* had stated: And the hands.

The *Gemora* asks: Did the disciples of Shammai and Hillel decree this; surely Shammai and Hillel (*themselves*) decreed it? For it was taught in a *braisa*: Yosi ben Yoezer of Tzereidah and Yosi ben Yochanan of Jerusalem decreed *tumah* in respect of the lands of the nations and glassware. Shimon ben Shetach instituted the woman's *kesuvah* and imposed *tumah* upon metal utensils. Shammai and Hillel decreed *tumah* for the hands.

And should you answer that it means that Shammai and his group and Hillel and his group of scholars; surely Rav Yehudah said in the name of Shmuel: They enacted eighteen measures, and they differed on eighteen measures, whereas Hillel and Shammai differed only in three places; for Rav Huna said: in three places they differed, and no more!

And should you answer that they (*Hillel and Shammai*) came and decreed that it (*the terumah*) be suspended (*that the hands are only suspected of tumah, and if they touch terumah it is 'suspended,' and may neither be eaten, as tahor, nor burnt as tamei*) while their disciples came and decreed that it be burnt; surely Ilfa said: The original decree concerning hands was for burning?

Rather, they (*Hillel and Shammai*) came and decreed it, yet it was not accepted from them; then their disciples came and decreed, and it was accepted from them.

The *Gemora* asks: But still, (King) Solomon decreed it? For Rav Yehudah said in the name of Shmuel: When Solomon instituted *erubin* and the washing of the hands, a Heavenly Voice came forth and declared, "My son, if your heart is wise; My heart shall be glad as well." "My son, be wise, and make my heart glad - that I may answer he who disgraces Me."

The *Gemora* answers: Solomon came and decreed in respect of holy things, while they came and instituted (it) in respect of *terumah*. (13b – 15a)

INSIGHTS TO THE DAF

By: Meoros HaDaf HaYomi

Why and when need a person refrain from bathing after immersing in a mikveh?

Among the "many thousands" (Rambam, *Sefer Hamitzvos shorsh* 1) of decrees that our Sages instituted, our *masechta* highlights the eighteen enactments that were instituted during the convention of students of Beis Hillel and Beis Shammai in the attic of Chananyah ben Chizkiyah ben Garon. One of these enactments was that a person who immerses in a mikveh, and later on the same day bathes in drawn water, renders *terumah* impure with his touch. The *Gemara* explains that it was once common for people to immerse in water pits that were kosher for mikveh use, but were exceedingly filthy. After immersing, people would rush to rinse with clean water that was not fit for mikveh use. This practice became so common, that our Sages feared people would come to view immersion in a mikveh as subordinate in importance, and the washing off with clean water afterward as the real purification. In order to prevent this mistake, the Sages decreed that anyone who washes after immersing in a mikveh becomes impure, and renders *terumah* to be *tamei* with his touch.

In order to investigate the practical implications of this *Gemara*, let us begin with the words of the Remo in *Shulchan Aruch* (Y.D. 201:75). He cites the *Mordechai* that after ascending from obligatory immersion in a mikveh, one must refrain from washing in drawn water. "This is the accepted custom," he concludes. The apparent source for this is our *Gemara*, yet we must take note that our *Gemara* did not forbid washing nor disqualify the immersion entirely but merely ruled that a person who does so renders *terumah* to be *tamei*. Today, we anyway cannot eat *terumah*, since



we are all *tamei meis*. One must ask then why does the Mordechai apply this ruling to mikveh immersion nowadays.

By examining the commentaries to our *Gemara*, we will come to a better understanding of the Remo's ruling. The Pnei Yehoshua asks, how could people have come to such a gross misunderstanding that immersion in a mikveh is unnecessary, and that the washing that followed purified them? They saw that the practice was to immerse and then wash off. Obviously immersion is essential. How could they come to disregard it entirely? Furthermore, we must ask ourselves why our Sages decreed a person who bathes after immersion to be impure in regard to touching *terumah*. Why did they not rule him or her to be impure in regard to other issues as well?

The Pnei Yehoshua explains that no one would ever come to abandon immersion in a mikveh entirely. Rather, they would mistakenly assume that both the immersion and the following bathing are equally important parts of the purification process. They would surely continue to immerse, but our Sages feared that eventually, instead of having *kavanah* for purification **during immersion**, they would **wash** for the sake of purity. This concern is relevant only to immersion for *terumah*, which requires immersion with *kavanah* for purification whereas immersion for other issues does not require *kavanah*. Our Sages therefore decreed *tumah* only upon touching *terumah* (The Pnei Yehoshua proves his interpretation from the wording of Rambam, Hilchos She'ar Avos Hatumah, 9:1).

The Chasam Sofer (Resp. Y.D. §214, s.v. *Umatzasi*) points out that Rashi interpreted the *Gemara* to mean that people would indeed come to abandon immersion entirely, and assume that only washing was necessary in order to be purified. Why then did they only decree impurity in regard to *terumah* and not other issues? In order to alert people to the truth of the matter, that washing is insufficient, it was enough to impose one aspect of impurity, that of rendering *terumah tamei*.

Based on these two interpretations of the *Gemara*, we can proceed to explain Mordechai's opinion in contrast. Although our *Gemara* stated that a person who washes after immersion is *tamei* only regarding *terumah*, the Mordechai understood this to be but one example of ritual impurity. Our Sages meant that the immersion was entirely invalid, and he must immerse again! This is unlike the opinions of Pnei Yehoshua and Chasam Sofer.

The Remo ruled that *le'chatchilah* one must follow the Mordechai's opinion, and refrain from washing after obligatory

immersion, even though the immersion was meant for family purity and not *terumah*. This ruling is debated by the Acharonim, as the Vilna Gaon comments (Biur HaGra, *ibid.*). Nevertheless, the custom is to heed the Remo's prohibition (see Aruch Hashulchan, *ibid.* §218).

Immersion *I'kavod Shabbos*: The prohibition to wash after *tevilah* applies only to immersion for the purposes of purification. When immersing before Shabbos, in order to reach a higher level of holiness, the Yesod V'shoresh Ha'avodah (Shaar Ha'shemini, Shaar Ha'elyon, ch. 1) writes explicitly that one may wash after immersing: "After immersing, a person should endeavor to wash his face, hands and feet in warm water... It is preferable to wash the entire body, beginning with his head. One should proclaim while washing that he is doing so "*I'kavod Shabbos kodesh*," with the intention of bringing *nachas* to the Creator, may He be blessed."

Who is betrothing whom? As we have discussed, this decree was meant to prevent confusion between important and unimportant actions. Crucially important halachos tend to lose the importance they deserve, when confused with the unnecessary customs that accompany them. Rav Moshe Feinstein (Igros Moshe, E.H. III, §18) applied this reasoning to a question presented before him, as to whether a bride may give a ring to her groom and proclaim, "Behold you are betrothed to me," just as he gives one to her. Among his many other vehement arguments against this incorrect practice, he contends that it will ultimately lead to a confusion of priorities, People will come to believe that the *kiddushin* is formed by the bride giving her groom a ring, and will forgo his giving her a ring.

Holding the staves of the Sefer Torah

In generations gone by, people stored loaves of *terumah* bread together with Torah scrolls, reasoning that since both are holy, it is appropriate to store them together. Mice attracted by the food, chewed on the Torah scrolls as well, defaming them. In order to prevent this practice, our Sages instituted as one of the eighteen decrees that *terumah* becomes *tamei* upon touching Sifrei Torah or other sacred scrolls. In addition to this, they decreed that when a person "nakedly" touches a Torah scroll, without a garment to separate his hand from the parchment, his hands become *tamei*, and will render any *terumah* they touch *tamei* as well. This was part of their enactment to protect the honor due to Sifrei Torah. The halacha is ruled accordingly, that one must not touch the parchment of a Sefer Torah bare-handed.

May a person touch a Sefer Torah after washing his hands?

The Mordechai (Megillah §834) writes that this decree does not apply to a person who has washed his hands before touching the Torah. Based on this, the Beis Yosef (O.C. 147) writes, "Perhaps the Ashkenazim rely on this opinion, in their practice of lifting up a Sefer Torah bare-handedly to display its writing to the congregation." The Remo (Darkei Moshe, *ibid.* os 2) rebuts this, stating, "I myself am of Ashkenazi descent, yet I have never seen this practice followed. On the contrary, we are careful never to "nakedly" touch a Sefer Torah." Accordingly, in his commentary to the Shulchan Aruch he does not rely on the Mordechai, but forbids touching the parchment of a Sefer Torah, even after washing one's hands.

Taz (*ibid.*, s.k. 1) explains that the Beis Yosef did not refer to picking up the Sefer Torah; when doing so the Ashkenazim are also careful not to touch the parchment. Sometimes though, after lifting up the Torah, the parchment falls off its track, and it is necessary to realign it. When doing so, people often take hold of the parchment with their bare hands. Nowadays, the custom is to realign the parchment by holding it with a tallis or other garment. The Beis Yosef, however, referred to the communities that are not accustomed to do so.

The Bach, on the other hand, explains that Beis Yosef refers to the custom of Ashkenazim to grasp the Sefer Torah by the *atzei chayim* (wooden staves) attached to either end of the parchment. The custom among Sefardic communities is to house the Sefer Torah in a wooden case, such that one never directly touches the parchment nor the staves. Assuming that the prohibition against touching a Sefer Torah bare-handed applies to the staves as well, Beis Yosef brought the Mordechai to justify the Ashkenazic custom. In conclusion, the Bach rules that one should indeed refrain from touching the staves bare-handed, adding that the scrupulous are careful.

Magen Avraham (*ibid.* s.k. 1) accepts this ruling and cites the following proof. Our Sages decreed when a person touches a Sefer Torah, his hands become *tamei*. Based on the Tosefta (Yadayim end of 3, Rash), the Rambam adds that if a person touches cords or straps that are attached to a Sefer Torah, although they ought to be removed, his hands become *tamei* (Hilchos She'ar Avos Hatumah, 9:9). We see then that touching something attached to the Sefer Torah is like touching the Sefer Torah itself.

The Mishna Berurah (*ibid.* s.k. 2) rules, "One may grasp the staves bare-handed. Some are stringent and wrap the ends of the staves with their tallis before lifting up the Sefer Torah. In a place where the custom is not to do so, one may only be stringent if he can do so in such a way that others will not notice. Otherwise, it would appear as if he arrogantly holds himself to be more punctilious than others."

How might this ruling be reconciled with Magen Avraham's proof from the Tosefta? The Yad Ephraim (Shulchan Aruch, *ibid.*) and the Vilna Gaon (Biur HaGra, s.k. 1) both explain by citing Tosafos (Chagigah 24b s.v. *ditnan*) that there is an additional Rabbinic ruling, that any object which renders *terumah* to be *tamei*, renders one's hands *tamei* as well, but only to a degree that the hands will then render **kodesh** (holy objects related to Temple sacrifices) to be *tamei*. Since the Sefer Torah itself makes *terumah tamei* (as explained above), one's hands become *tamei* for *kodesh* upon touching it. Anything attached to the Sefer Torah takes on these properties as well, making both *terumah* and a person's hands *tamei*. This however has no connection to the prohibition against holding an unclothed Sefer Torah and the decree that such hands become *tamei* for **terumah**. It is in no way disrespectful to hold the staves barehanded, despite the fact that one becomes *tamei* for *kodesh* by doing so. Therefore, the Mishna Berurah rules that one may indeed touch the staves barehanded. [It is worth noting that although our *Gemara* explicitly states the reason why one's hands become *tamei* for *terumah* upon touching a Sefer Torah, a close inspection of the Rambam (*ibid.* 9:5) reveals that he understood the reason to be based on the prohibition against storing *terumah* together with a Sefer Torah. The Acharonim struggle to understand the basis of the Rambam's opinion, and how to resolve it with our *Gemara*].

The Origins of Netilas Yadayim

Before eating bread, we wash our hands and recite, "Blessed are You, Hashem...Who sanctified us with His commandments, and commanded us concerning *netilas yadayim*." What are the origins and the reasons behind this Rabbinic commandment? Our *Gemara* explains that Shlomo Hamelech originally enacted that the Kohanim must immerse their hands in a mikveh (see Maharsha) before touching *korbanos*. If a Kohen would touch *korbanos* without first immersing his hands, he would render them *tamei*. He instituted this practice in order to heighten the Kohanim's sensitivity to the importance of maintaining ritual purity in the *Beis HaMikdash*.

Hillel and Shammai attempted to expand upon this enactment, by requiring washing hands before touching *terumah*. However, their decree was not accepted until a later generation when their students succeeded in including it as one of the eighteen enactments instituted in the attic of Chananyah ben Chizkiyah ben Garon.

Rashi's teachers and the Rambam explain the reason for this second enactment of *netilas yadayim* because of a concern for *tumah*. Rashi himself, however, asks that if this was their concern, what did they gain by requiring washing the hands? If a person was in fact *tamei*, he would need to immerse his entire body in a mikveh to purify himself, and not merely wash his hands. The Acharonim explain (see *Mishna Acharonah* Yadayim 3:1) that *netilas yadayim* for *terumah* was based on an earlier enactment, before Shlomoh Hamelech and not mentioned in our *Gemara*, that when a person touches something that is itself *tamei*, but cannot impart *tumah* to others (*midoraisa*), his hands become *tamei*. To remove this limited form of *tumah midrabanan*, it suffices for one to wash his hands. Based on this, the students of Hillel and Shammai instituted a further enactment that one must always wash his hands before touching *terumah*, for concern that he might have unknowingly touched such a limited form of *tumah*.

Rejecting the interpretation of his teachers, Rashi (s.v. *netilas yadayim*) explains that the enactment of *netilas yadayim* was for the sake of cleanliness. By touching *terumah* with dirty hands one might ruin it, thereby transgressing the prohibition against causing *terumah* to become inedible. Our Sages wished to accustom the Kohanim to refrain from touching *terumah* with dirty hands, and for this purpose they enacted *netilas yadayim*.

Later, the Sages required every one of us, Kohen and Israelite alike, to wash hands before eating bread, in order to familiarize the Kohanim with *netilas yadayim* for *terumah* (Chullin 106a; Magen Avraham O.C. 158). Today we are all *tamei*, and the Kohanim do not eat *terumah*. Nevertheless, the Rabbinic enactment to wash hands for bread remains. When the *Beis HaMikdash* will be rebuilt (may it be soon, in our days), we will already be familiar with the practice of *netilas yadayim* (Mishna Berurah 158:1).

According to Rashi, the only reason we wash before eating bread is to ensure that the Kohanim wash for *terumah* (See Rashba, *ibid.*). However, Tosafos (*ibid.*, s.v. *mitzvah*) and Smag add that our Sages instituted the practice of washing hands for bread in order to encourage cleanliness and *kedusha*. Since the table upon which one eats is compared to a *mizbeiach*, one must conduct himself

with the necessary *kedusha* during his meals. They based this enactment on the *possuk*, "Sanctify yourselves and be holy." (Vayikra 11:44. See Keren Orah, Sotah 4b).

Tosafos agree that that *netilas yadayim* for bread was meant to ensure that the Kohanim wash for *terumah*, (as is explicit in *Maseches Chullin*, *ibid.*). Why then did they need to present the additional reason of cleanliness and sanctity?

If a person washes before beginning his meal, he fulfills the enactment to familiarize Kohanim with *netilas yadayim* for *terumah*. Even if his hands would be sullied during the meal, he would not need to wash again. However, our Sages instituted a second decree to wash hands again before continuing the meal, in order to maintain an added degree of sanctity.