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Temurah Daf 12

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Mishna

[If *terumah* and *chullin* (non-sacred things) become mixed together, and there are one hundred parts *chullin* for every part *terumah*, one can simply remove one part *terumah*, and the remainder becomes *chullin*. However, if there is less than a one hundred to one ratio, the mixture, called *meduma*, has to be treated with the stringency of *terumah*. It can only be eaten by a *Kohen* who is *tahor*.]

The *Mishna* states: Anything which has become subject to the law of *meduma* (*terumah* and *chullin* mixed together in a manner where there was not enough *chullin* to nullify the *terumah*) can effect a second mixture (to prohibit it as *terumah*) only in proportion. [If, for example, a *se’ah* (approximately 8 – 14 liters) of *terumah* fell into *chullin*, so that the mixture became subject to *terumah*, for there was less than one hundred *se’ahs* of *chullin*, and if subsequently one *se’ah* of this mixture fell into *chullin*, the second mixture is subject to the law of *terumah* only in proportion of the *terumah* contained in the first mixture. If there are one hundred parts *chullin* for every part *terumah* in the *meduma* mixture, the entire mixture can be treated as *chullin*.]

[If *chullin* dough is leavened by *terumah* sourdough, the *chullin* dough does not nullify the *terumah* even if the ratio of *chullin* to *terumah* is more than one hundred to one. This is because the significance of the *terumah* sourdough is clearly evident in the mixture. The mixture then must be treated as *terumah*.]

The *Mishna* continues: If *chullin* dough, that was leavened by *terumah* sourdough, falls into more *chullin* dough, it causes the new dough as leavened with *terumah* only if there was enough *terumah* in it to leaven the new dough. [If a *se’ah* of *terumah* has leavened twenty *se’ahs* of *chullin* and then one *se’ah* of the mixture fell into some other dough, we calculate as follows: if one-twentieth

of a *se’ah* (the element of *terumah* found in the part that fell) is capable of independently leavening the dough, then the latter is forbidden, but if not, it is permitted.]

[If a *mikvah* has less than forty *se’ahs* (approximately 200 gallons) of naturally gathered water, and three *lugin* (approximately 50 ounces) of drawn water fall into it, the *mikvah* is disqualified (even if more naturally gathered water is added to it). If, however, these three *lugin* of drawn water became mixed in with water that was not drawn - water that can be used for a *mikvah*, then they disqualify the *mikvah* only according to amount of drawn water that is in the mixture.]

The *Mishna* continues: Drawn water can disqualify a *mikvah* only in proportion.

[In summary: in all of these cases, there is a mixture of problematic substances (*terumah* or drawn water) and non-problematic substances. If this mixture becomes mixed into something else that is not problematic (*chullin* or a *mikvah*), we only consider the problematic parts of the mixture (according to proportion) when determining the status of what it fell into.]

[“*Chatas* water” is the spring water mixed with the ashes of the red heifer that is used in the purification ritual. The water does not become *chatas* water until the ashes are put into them.]

The *Mishna* continues: Water of purification (of a *parah adumah* – red heifer) becomes ritually fit only with the placing of the ashes (in the water, but not if the ashes were there first).

[“*Beis haperas*” is a field in which a grave had been plowed over. We are concerned that due to the plowing, a fragment of bone the size of a barley or larger may have scattered throughout the field. The Rabbis decreed that anyone who passes within one

hundred amos - cubits of a grave becomes tamei with corpse tumah, for he might have touched or moved the bone.]

The *Mishna* continues: A *beis haperas* cannot create another *beis haperas* (so if the “doubtful graveyard” is then plowed again, it does not make another doubtful graveyard for an additional one hundred amos).

Terumah cannot be effective after *terumah*. [If one separated *terumah* from his produce and then separated *terumah* again, the second *terumah* does not acquire *terumah* status whatsoever, and is completely *chullin*.]

An animal which is a *temurah* (it had been exchanged for another through the owner declaring it *temurah*) cannot effect another (animal to be a) *temurah*.

The offspring of a consecrated animal cannot effect a *temurah*. Rabbi Yehudah says: The offspring of a consecrated animal can effect a *temurah*. They said to him: A consecrated animal can effect a *temurah*, but the offspring of a consecrated animal cannot effect a *temurah*. (12a)

Meduma

[The *Mishna* had stated: Anything which has become subject to the law of *meduma* (*terumah* and *chullin* mixed together in a manner where there was not enough *chullin* to nullify the *terumah*) can effect a second mixture (to prohibit it as *terumah*) only in proportion.]

The *Gemora* asks: Which *Tanna* taught this ruling?

Rabbi Chiya bar Abba said in the name of Rabbi Yochanan: It is not that of Rabbi Eliezer, for we have learned in a *Mishna*: If a *se'ah* of *terumah* has fallen into less than a hundred *se'ah* of *chullin*, the admixture becoming forbidden to non-Kohanim (for there is not enough *chullin* in the mixture to nullify the *terumah*), and something (a *se'ah*) fell from the mixture into another place (of *chullin*, which also did not have a sufficient amount to nullify the one *se'ah*), Rabbi Eliezer says: The mixture is forbidden as if it would be definite *terumah*, for we assume that the *se'ah* of *terumah* that fell into the first mixture is the same exact *se'ah* that

came up (and fell into the second mixture; therefore, we do not calculate according to proportion, but rather, we require one hundred *se'ahs* of *chullin* in the second mixture in order to nullify that which fell in). The Sages, however, say: That which fell from the first mixture can effect a second mixture (to prohibit it as *terumah*) only in proportion. [We require a hundred times the proportion of *terumah* in the *se'ah* which fell into the second mixture and not more. If, for example, in the beginning there fell one *se'ah* of *terumah* into twenty-three *se'ah* of *chullin*, each *se'ah* of the mixture contains one twenty-fourth of *terumah*, i.e., one log, for one *se'ah* = twenty-four lugin. Now, if a *se'ah* of this mixture fell into other *chullin*, seventy-seven lugin of *chullin* combine with the twenty-three lugin of *chullin* contained in the *se'ah* which fell in order to nullify the *terumah*.]

The *Mishna* had stated: If *chullin* dough, that was leavened by *terumah* sourdough, falls into more *chullin* dough, it causes the new dough as leavened with *terumah* only if there was enough *terumah* in it to leaven the new dough.

Rabbi Chiya bar Abba said in the name of Rabbi Yochanan: It is not that of Rabbi Eliezer, for we have learned in a *Mishna*: Rabbi Eliezer and the Sages dispute the ruling in a case of two pieces of sourdough that fell into a piece of dough, and leavened it. One piece of sourdough was *terumah*, and one was standard *chulin*, and neither was able to independently leaven the dough. Rabbi Eliezer says that whichever fell last determines the status of the dough – if the *terumah* fell last, the dough is prohibited, while if the *chulin* fell last, the dough is permitted. The Sages say that it is permitted, provided the *terumah* sourdough cannot independently leaven the dough. (12a)

Mikvah Water

The *Mishna* had stated: Drawn water can disqualify a *mikvah* only in proportion.

The *Gemora* asks: Which *Tanna* taught this ruling?

Rabbi Chiya bar Abba said in the name of Rabbi Yochanan: It is that of Rabbi Eliezer ben Yaakov, for we have learned in a *braisa*: Rabbi Eliezer ben Yaakov said: If a *mikvah* contains twenty-one *se'ah* of rainwater, one can fill nineteen *se'ahs* (of drawn water to complete

the minimum requirement of forty se'ah) with buckets and channels them into the mikvah (since if he would pour from a bucket directly into the mikvah which contains less than forty se'ah of rainwater, he would disqualify the water, even if only three lugin, but rather, he digs a channel into which he pours water from the bucket and the water flows from this cavity into the mikvah; this water flowing, called hamshachah – conducting, removes the disqualification of the drawn water), and (the collected waters combined) are valid ritually (that one who is tamei can now immerse in such a mikvah and become tahor). This is because collected drawn waters are rendered valid by the greater part (in the mikvah being rainwater) and by being conducted through a channel. [This is therefore what the Mishna meant with the expression in this connection of 'only in proportion,' since collected drawn water does not disqualify a mikvah when it is conducted through a channel, unless there is twenty se'ah of this in the mikvah.]

The Gemora asks: Are we to infer from this that according to the opinion of the Rabbis (who disagree with R' Eliezer ben Yaakov) that drawn waters are not rendered valid by the greater part (of rainwater) and by being conducted through a channel? Then let us consider the ruling which Ravin in the name of Rabbi Yochanan reported when he came from Eretz Yisroel: A mikvah (entirely) consisting of drawn water which has been conducted through a channel is ritually valid; this does not represent the opinion of the Rabbis (who disqualify drawn water completely), nor that of Rabbi Eliezer (who requires at least a majority of rainwater)!

Rather, said Rav Pappa: The words of the Mishna 'In proportion' mean according to the number of the vessels, and the Mishna reflects the opinion of Yosef ben Choni, for it has been taught in a braisa: If three lugin of drawn water fell into a mikvah (that did not contain forty se'ah), if the waters came from two or three vessels, or even from four or five vessels, they disqualify the mikvah. Yosef ben Choni says: If the waters came from two or three vessels (with each one of them containing at least a log of water) they disqualify the mikvah, but if it fell from four or five vessels (where less than one log of drawn water fell at one time) they do not disqualify the mikvah (for it is regarded as being insignificant). (12a – 12b)

Order of Procedure

The Mishna had stated: Water of purification (of a parah adumah – red heifer) becomes ritually fit only with the placing of the ashes (in the water, but not if the ashes were there first).

The Gemora asks: Which Tanna taught this ruling?

Rabbi Chiya bar Abba said in the name of Rabbi Yochanan: It is that of Rabbi Shimon, for it has been taught in a braisa (regarding the preparation of the water for the sotah): **[A sotah is a woman who is suspected of committing adultery because she was warned by her husband not to seclude herself with a certain man and she violated his warning. The woman is forbidden to her husband until she drinks the bitter waters. An earthenware jug is then filled with half a log of water from the kiyor, and dirt from the floor of the Courtyard is placed on top of the water. She then drinks from the water. If she was unfaithful to her husband, the water would enter her body, causing her belly to swell out and her thigh to rupture. If she was faithful to her husband, she remained unharmed and would be blessed with healthy and handsome children.]** If the Kohen places the dirt into the vessel before the water, it is disqualified, whereas Rabbi Shimon says that it is valid.

The Gemora cites the Scriptural sources for their reasoning. (12b)

INSIGHTS TO THE DAF

The Ben Peku'ah

By: Meoros HaDaf HaYomi

A ben peku'ah is the fetus of an animal which was found in the womb after the mother animal was slaughtered. Though the fetus was not slaughtered, Chazal interpreted from the verse "everything... in the animal, you may eat" (Vayikra 11:3) that a ben peku'ah is allowed to be eaten upon its mother's slaughtering. Ramban explains (Shemos 15:10) that sometimes the letters beis and pei express the same meaning. A ben peku'ah is then a ben beku'ah, which emerged when its mother's abdomen was split open.

In this article we shall focus on a fine *chakirah* - investigation by the greatest Acharonim, and on the remarkable proofs that the disagreeing sides presented.

The question is whether a *ben peku'ah* is permitted because the Torah taught us that slaughtering its mother's is like *shechitah* of the fetus or perhaps it is the Torah's decree (*gezeiras hakasuv*) that the fetus is permitted but it shouldn't be considered slaughtered.

The author of *Zecher Yitzchak* zt"l, known as Rav Itzele Ponovizher, cites the *Gemora* in Temurah 12a which discusses a fetus that was sanctified for a sacrifice while in its mother that is not a sacrifice. The *Gemora* has a doubt if the mother animal was slaughtered outside the Temple, whether the fetus is considered a sacrifice slaughtered outside the Temple. He says that if a *ben peku'ah* is not considered as slaughtered at all, there's no question. The fetus was not slaughtered so there could be no doubt about considering it "slaughtered outside".

Heating a Mikvah

A *mikveh* must contain forty se'ah of natural spring (or rain) water that is not שאובין (drawn in a vessel). The Gemara says that immersion in a hot *mikveh* is possible only in a natural hot spring (e.g., the hot springs of Teveria), but not with water heated in a vessel over the fire because such water is שאובין מים.

Tosfos asks why it is not possible to heat water in a vessel and then perform המשכה (allow it to run over the ground for a distance of three *tefachim* before flowing into a pit), thereby removing its status of שאובין מים. Tosfos answers that apparently; performing המשכה does not remove the שאובין מים status from the water and does not validate it for a *mikveh*.

Tosfos asserts that although the entire *mikveh* cannot be created by means of המשכה, if the majority of the *mikveh* (i.e., more than 20 se'ah) is natural spring water (which was never drawn in a vessel), the remaining portion of the *mikveh* (19+ se'ah) may be poured from a vessel via המשכה.

The Mishna in Mikvaos (7:3) states that once there is a valid *mikveh* consisting of 40 se'ah of spring water, it is permitted to pour any amount of שאובין מים into the *mikveh* (even without המשכה).

The Lechem V'Simlah asks why the Gemara does not cite the cases of Tosfos in Temurah and the Mishna in Mikvaos as two examples of a valid hot *mikveh*. In addition to a natural hot spring, the Gemara should have said that one can heat a *mikveh* by pouring hot water into a preexisting *mikveh* (which contains 40 se'ah of natural spring water), or by adding hot water from a vessel via המשכה to a *mikveh* with twenty-one se'ah of natural spring water.

The Lechem V'Simlah answers that even though these examples are permissible means of warming a *mikveh*, these are examples of warm *mikvaos*, not hot, since these *mikvaos* contain a lot of cold water. The Gemara says that immersion in a hot *mikveh* (which does not contain any cold water) is possible only in a natural hot spring.

The Mordechai maintains that a *mikvah* warmed in the above method is rabbinically not valid because of מרחצאות גזרות. It resembles a large bath in a bathhouse (which generally consists of שאובין מים). If one heats a *mikveh* by pouring a lot of hot water into a *mikveh*, onlookers might think the *mikveh* is primarily שאובין מים and that it is permitted to immerse in שאובין מים.

The Mordechai explains that when the Gemara says that immersion in a hot *mikveh* is not possible due to the invalidation of שאובין מים, it means - due to the resemblance of שאובין מים.

The Ramoh cites some authorities who disagree with the Mordechai and permit immersing in a hot *mikveh*. The Ramoh writes that in places where the custom is to rely on these lenient authorities one may follow the custom and immerse in a hot *mikveh*.

There are two more ways of heating a *mikvah* without rendering the water שאובין מים: (a) By inserting hot metal coils (see Gemara in Yoma 34b, מחמין היו ברזל של עששיות), as indeed, many mikvaos are heated today. (b) By adjoining a valid (cold) *mikveh* with a pool filled with heated שאובין מים and making a small opening between them allowing the waters to touch rendering the pool of hot water a valid *mikveh*.

According to the Mordechai it is understood why the Gemara did not cite these cases, because these hot mikvaos are also forbidden due to מרחצאות גזרות (the appearance of a bath).

DAILY MASHAL

Rain in Morocco in the Summer?

The *mikveh*, which was dug deep into the ground, received its water supply from a natural spring beneath it. Once during the beginning of summer, in **Tammuz**, the spring dried up and the water disappeared from the mikveh. How could the town be without a mikveh through the summer? There would be no rain until autumn!

In their despair, the heads of the community enlisted the aid of **Rabbi Yisrael Abuchatzeira**. The **Baba Sali** (as he was popularly known) told them to dig a new mikveh according to the superior specifications which he outlined for them.

The village workmen prepared the new mikveh according to Baba Sali's instructions and soon it stood, all ready for use. But without water, no one would be able to immerse in it.

Pure rainwater was needed to fill the mikveh. But in Morocco, rain only fell in the autumn and winter. Where would they find rainwater in Tammuz?

Again, the townspeople came to Baba Sali. "We have completed the construction of the new mikveh," they reported, "but we still have no water to fill it. What shall we do now?"

Baba Sali went to inspect the new mikveh. He looked thoughtfully at the bright blue sky and said, "Master of the world, You commanded us to be pure and holy and we wish to follow Your teachings. We have done everything in our power. We built this mikveh as best we could. It is now up to You, L-rd, to help us, for Your sake."

This short prayer was hardly out of his mouth before the skies clouded over and rain poured out of the sky. Enough rain fell to fill up the mikveh with the required amount of water so that it could be used!

Baba Sali returned to his room to continue his study. In the process, he discovered that the drainpipe which led to the mikveh had not been built according to the standards of the strictest opinions in the matter. Baba Sali, who always tried to do things in the maximum and strictest possible manner, was displeased that it did not meet the specifications of all of the sages. Although the mikveh was kosher, he felt it lacked perfection.

He went back to the mikveh and told the workmen to drain all the water out and rebuild the drainpipe so that it would meet the most stringent requirements, according to all the authorities.

When they heard that Baba Sali had gone to visit the mikveh again, the rabbis of the town came to see what was amiss. They were surprised to hear that he had demanded that all the precious, miraculous rainwater be drained.

His cousin, Rabbi Yichye Dehaan, turned to Baba Sali saying, "Wasn't the mikveh kosher according to most of the authorities? Why, then, did you order that all the water be drained? Where will we obtain fresh rainwater to fill it again, once the fault is corrected? Miracles don't happen every day, after all!"

But Baba Sali was adamant. He insisted that all the water be let out. The workers, of course, did as he said.

After the necessary corrections had been instated and the work had gained Baba Sali's approval, he went outside, spread his hands heavenward and prayed: "Master of the world, it is perfectly clear to You that I did not do anything for my own glory, nor for the glory of my father's house. I only did what I did in order to increase purity among Your people."

And again, the sky clouded over and blessed rains fell. The mikveh filled and the town maintained its high standard of purity from that time on.

All those who were present were overawed by what they saw. They thanked Heaven for having been blessed with such a saintly leader who possessed such saintliness and power that even G-d Al-mighty saw fit to fulfill his requests.