



Volume 12. Issue 61

## Machshirin – Water From a Tree

This week we began *Masechet Machshirin*. Before food become susceptible to *tumah* they must come into contact with one of the seven liquids. The first *Mishnah* teaches that becoming wet is not enough. Firstly, the water must be detached, i.e. no longer in the ground. Furthermore, if the liquid that falls on the (detached) food is *tahor*, the “beginning” or “end” must be “*le’ratzon*” – with approval of the owner. Last cycle (volume 6, issue 61) we analysed the debate regarding the meaning of “beginning” and “end”. This year however we shall look at the second *Mishnah*.

The *Mishnah* (1:2) teaches that if one shakes a tree so that the fruit or *tumah* caught in the tree falls, the rain water that falls from the tree does not affect *hechsher*. If however one shook the tree in order for the water to fall everyone agrees that the water that falls does affect *hechsher*. *Beit Shammai* argues however that even the water that remains in the tree would also cause *hechsher* while *Beit Hillel* disagrees.

The *Bartenura* explains that when the person shook the tree, *achshuvei achshevinhu*, he considered the water and it is as if he detached it *le’ratzon*. Consequently, it is irrelevant if it fell on the food later against his *ratzon* and it is nevertheless *machshir* since its “beginning” was *le’ratzon*.

The *Mishnah Achrona* however questions this reasoning. When the person shook the tree it was to remove the water from the tree and not because he wanted the water. If the tree was not wet, he would have been just as happy. How is such a case considered *achsuvei*?

The *Mishnah Achrona* cites the *Tosfot* (*Keritut* 15b) who explain that even though he did not want the water, since he intentionally and physically removed it (*be’yadayim*), it is considered *achshevinhu*.

A *Mishnah* (4:5) that we will learn however presents a difficulty. If one pours out water from a trough that filled from a gutter (*delef*), *Beit Hillel* maintains that that water is not *machshir*. This is despite the fact that it was intentional and *be’yadayim*.

The *Mishnah Achrona* leaves this as a difficulty for the *Tosfot* and sees it as a support for the position of the *Rambam*. Returning to our article from last cycle, according to most *rishonim* the beginning referred to in our *Mishnah* is when the water was detached, while the end referred to when it fell on the food. If either of those points was *le’ratzon* then it is *machshir*. According to the *Rambam* however the beginning referred to the point when the water came into contact with the food and the end is the time when the food is still wet. According to the *Rambam* however, the time at which the water is detached is not covered by the first *Mishnah*. If it was not detached *le’ratzon* then then it is not *machshir* irrespective of what happens later; it is as if the water is still attached to the ground.

The *Mishnah Achrona* understands that according to the *Rambam* we can differentiate between our case and the case of the *delef*. In our case, the water resting in the tree is being detached *le’ratzon* even though he is happy for it to fall to the ground. Consequently, the water can be *machshir* provided that during the time the food is wet it was *le’ratzon*. In the case of the *delef* however it was never detached *le’ratzon* – the water travelled on its own to trough. Consequently, when the person takes it to pour it out, it is not considered *le’ratzon*.

It seems that according to the *Mishnah Achrona* within the opinion of the *Rambam*, there are two type of *le’ratzon*. At the time of detachment, the *ratzon* is one of willingness – the act need be intentional. However, the *ratzon* required at the time the water is contact with the food, beginning or end, is a question of benefit.

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**Revision Questions**

נידה ט' ח' - י' ח'

- List some of the *vestot* (*ha'guf*). (ט' ח')
- How many times must they occur for an *isha* to have a *veset*? (ט' ח')
- When would the *taharot* that she touched during a *veset ha'guf* be *tahor*? (ט' ח')
- What are *R' Yosi's* and *R' Yehuda's* opinions regarding *vestot*? (ט' ח')
- What is the law regarding an *isha* that had a *veset* on the fifteenth of the month but saw *dam* on the twentieth once? Twice? Three times? (י' ט')
- What does the *Mishnah* use the example of wines to explain? (ט' י')
- What are the three debates between *Beit Shammai* and *Beit Hillel* in the first *Mishnah* of the final *perek*? (י' א')
- What are the three opinions regarding the point after *tumah* that an *isha* can get a *chezkat tahara* after *bedika*? (י' ב')
- What is the law regarding a *zava* that only checked on the first and seventh days? (י' ג')
- What is the unique law that applies to the corpse of one that died as a *zav*? (י' ד')
- Until when does this law apply? (י' ד')
- What is the debate between *Beit Shammai* and *Beit Hillel* regarding *nashim metot*? (י' ד')
- Explain the debate regarding *dam* that leaves an *isha she'meta*. (י' ה')
- In what case do they agree? (י' ה')
- What level of *tumah* is a *yoshevet al dam tohar*? (Provide the history.) (י' ו')
- Regarding the previous question when do *Beit Shammai* and *Beit Hillel* argue and when do they agree? (י' ו'-ז')
- Explain the debate regarding an *isha* that sees: (י' ח')
  - On the eleventh day and *tavla l'erev v'shimsha*?
  - On the eleventh day and the next day *tavla v'shimsha*?
- In what case do they agree? (י' ח')

מכשירין א' א' - ב' ב'

- Is water *machshir* if it was only initially *l'ratzon*? If it was only *l'ratzon* at the end? (א' א')
- What liquids are *machshir* even if it is not *l'ratzon*? (א' א')
- If water falls as a result of shaking a tree on to detached fruit, in what two cases does everyone agree that the water is considered *b'chi yutan* and which case is debated? (א' ב')

**Melbourne, Australia**

**Sunday -Thursday**

10 minutes before *Mincha*  
Mizrachi Shul  
Melbourne, Australia

**Friday & Shabbat**

10 minutes before *Mincha*  
Beit Ha'Roeh  
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Rabbi Mordechai Scharf  
9:00am  
Kollel Magen Avraham  
Reemon Neighbourhood

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**Next Week's Mishnayot...**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
10 January כ"ט טבת	11 January א' שבט	12 January ב' שבט	13 January ג' שבט	14 January ד' שבט	15 January ה' שבט	16 January ו' שבט
Machshirin 1:3-4	Machshirin 1:5-6	Machshirin 2:1-2	Machshirin 2:3-4	Machshirin 2:5-6	Machshirin 2:7-8	Machshirin 2:9-10

