



## An Oven Fired without Knowledge

An earthenware oven is not susceptible to *tumah* until it is first fired up. The *Mishnah* (5:4) teaches that it will become “*tameh*”, meaning it will become susceptible to *tumah*, even if the fire was on the outside, or it was fired up without his knowledge, or even if it occurred in the middle of its manufacture.

The *Bartenura* notes that there are some *sefarim* that have the version *tahor* instead. However, he asserts that that is a mistake and the *Mishnah* should be read as we have it.

The *Tosfot Yom Tov* cites the *Rash* who explains that our version makes sense, since the *Mishnah* continues with the incident where a fire broke out in a pottery house and *Rabban Gamliel* ruled that the ovens were all *tameh*. In other words, an incident is brought that supports the ruling of the *Mishnah*.

The *Rash* however continues that that version that reads *tahor*, would understand that this is the position of the *Chachamim*, whilst *Rabban Gamliel* disagrees. The *Melechet Shlomo* comments that it is not uncommon in the *Mishnah* to find where a ruling is brought and an incident is then cited to present a dissenting opinion. Indeed the *Rash* cites the *Tosfeta* that brings a debate between *Rabban Gamliel* and the *Chachamim* regarding this very point.<sup>1</sup>

The *Rash* continues that (according to this understanding) the *Mishnah* is only really discussing one principle and not three different cases. Being fired from the outside (for

example if some heated food outside the oven) or if there was a fire in the craftsman’s workplace are each examples of the oven being fired without one’s knowledge. (He cites the *Tosefta* as support for this understanding.)

The *Rash* continues (according to this understanding) that one might have thought that these are three different cases where the oven would still be *tahor*. The fire was on the outside, it occurred without the owner’s knowledge, and it occurred before the oven was finished. This however is not possible since the later *Mishnah* (5:6) implies that even if it was not fired inside, the oven would become susceptible to *tumah*. Consequently, it must be that according to this understanding, the other cases are simply examples of cases where it was done without *daat*<sup>2</sup>. All that said, the *Rash* is not sure why for *keilim*, *da’at* is required.

The *Shoshanim Le’David* suggests that it is for a practical reason. Recall that there is a *shiur*, there is a minimum heat that the oven must reach, for the oven to become susceptible to *tumah* (5:1). The concern is that if it was not fired intentionally, one will not have paid attention to whether it has reached that temperature.<sup>3</sup> He cites a proof from the case where one wanted to use an oven that was used for *chametz* for *matzah*. The ruling is that even if it was brought to a high heat one hundred times, if one did not bring it to that heat for the purpose of *koshering*, it would be ineffective, out of concerned it was not *koshered* properly.

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<sup>1</sup> That said the *Chazon Ish* (*Keilim* 7:17) writes that in that same *Tosefta* it is *R’ Yehuda* who maintains it is *tahor* and the *Tana Kama* argues that it is *tameh*. *R’ Yehuda* cites the incident of the fire in *Kfar Signa* where the *Chachamim* maintained that the ovens were *tahor* and *R’ Gamliel* argued it was *tameh*. *R’ Yehuda* attempted to bring this as a proof for his position. Now the *Tana Kama* that argued either held like *R’ Gamliel* or simply maintained that they did not argue regarding this case. The version that reads *tahor* would mean that our *Mishnah* is according to the opinion of *R’ Yehuda*. See the next footnote.

<sup>2</sup> The *Chazon Ish* continues that this understanding does not fit the simple reading of the *Mishnah*. For this reason, as well as the point cited in the previous footnote, the version of the *Mishnah* we have is a simpler reading of the *Mishnah*.

<sup>3</sup> One might ask that if that were the case, we should nonetheless rule stringently rather than being lenient and deeming the oven *tahor*, ט"ז.

## Revision Questions

טהרות ג' גי – ה' ד'

- If a broken piece of *kli cheres* had a hole that was sealed, when is it still *tameh*? (ג' גי)
- What other case shares a similar law to the previous question? (ד' גי)
- Explain the debate regarding when an outer coating of plaster on a *kli cheres* is considered part of the *kli* and why is this important? (ה' גי)
- If food touches the plastering of a *tameh* oven, does it become *tameh*? (ו' גי)
- Which of the following two substances that are used to plaster a water-heater are considered a *chibur* (attachment): *chomer* or *charsit*? (ז' גי)
- Why does R' Yosi declare that a kettle whose hole is plugged with *zefet* (pitch) is considered *tahor*? (ח' גי)
- What is the law regarding a barrel whose hole has been repaired with an excessive amount of *zefet*? (ט' גי)
- What are the three opinions regarding plugged funnels made of wood or of earthenware and their susceptibility to *tumah*? (י' ח')
- What is the law regarding a broken piece of *cheres* that cannot stand due to the attached handle? (יא' ד')
- Explain the debate regarding the previous case if the handle then broke off. (יב' ד')
- Explain the debate regarding a barrel that splits down the middle. (יג' ד')
- How poor must a severely cracked barrel be in order that it is no longer susceptible to *tumah*? (יד' ב')
- What is a *gistra*? (טו' ג')
- What is the rule regarding a *gistra* that has *chidudim*? (טז' ד')
- What are the three cases of an earthenware utensil that has "three rims"? (יז' ד')
- From what point in production is an earthenware utensil susceptible to *tumah*? (יח' ד')
- What are the minimum dimensions of a *tanur* and a broken *tanur* such that it is susceptible to *tumah*? (יט' א')
- What is the "g'mar melacha" of a *tanur*? (כ' א')
- Regarding the previous two questions, what is the law regarding a *kira*? (כא' ב')
- What is the law regarding an *ateret kira*? A *tirat tanur*? (כב' ג')
- Explain the debate regarding a *beit ha'pach*. (כג' ג')
- Is a *tanur* that was fired (for the first time) without the knowledge of the owner susceptible to *tumah*? (כד' ה')

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Keilim 5:5-6	Keilim 5:7-8	Keilim 5:9-10	Keilim 5:11-6:1	Keilim 6:2-3	Keilim 6:4-7:1	Keilim 7:2-3

