The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ק"ס סעיף ג'-ו'

Overview

Siman 160 Seif 3:

The water before a blacksmith, even though its color did not change is invalid since it is known that it was used for work, i.e. cooling iron. Water before a barber is invalid if its appearance changed but if not it is valid.

- Since there is no presumption that the barber used the water it remains fit for use. (M.B. 19)

Siman 160 Seif 4:

There is an opinion that maintains that water from which a chicken drank or which a dog lapped up is invalid but that opinion appears incorrect and these waters or waters from which other creatures drank remains valid.

- Water from which a dog or pig drank is invalid because it is repulsive and is comparable to waste water. Chaye Adam rules that in a difficult circumstance one may rely on Shulchan Aruch's lenient position. (M.B. 23)
- Water left uncovered may be used for washing even though it is unfit for drinking. If invalid water intermingled with valid water even to comprise exactly a revi'is the mixture may be used as long as the color did not change. (M.B. 23)

Siman 160 Seif 5:

Only drawn water becomes invalidated if work was done with it, whether the water is currently in a utensil or in the ground but mikvah water and spring water while still connected to the spring does not become invalidated if work was done with it.

- Even if the water was used for work while it was in the ground it is invalidated since it was drawn. (M.B. 24)
- The disqualification of water that results from an animal drinking from it applies even to mikvah water. However, this invalidation is limited to where one wants to draw water out and pour it on one's hands but it is acceptable to immerse one's hands in a mikvah that contains these waters. (M.B. 25)

Siman 160 Seif 6:

Water heated by fire may be used to wash one's hands even if the water is yad soledes bo (hot enough that a child's abdomen would become burned).

- One should be stringent with regards to water that is yad soledes bo but if no other water is available there is no need to be stringent. Accordingly, if one only has water that is yad soledes bo he should wait a bit until it cools off. (M.B. 27)

Halacha Highlight

Nullifying water used to wash one's hands

Mishnah Berurah Siman 160 Seif Koton 23

מים פסולין שנתערבו במים כשרין

If disqualified water became intermingled with qualified water

Mishnah Berurah (ס"ק כ"ג) writes that if water that became disqualified for use becomes intermingled with water that is fit for washing, the disqualified water is nullified in the majority of water that is fit. Moreover, the disqualified water combines with the fit water to constitute a revi'is which is the minimum quantity of water necessary for washing one's hands. Chazon Ish (או"ח סי' כ"ב ס"ק י"א) disagrees with Mishnah Berurah's assertion that disqualified water counts towards the minimum quantity of a revi'is. He rules that the requirement for a revi'is means that one must have a revi'is of valid water.

The nullification of disqualified water applies not only when the disqualified water became intermingled accidentally but even if one intentionally nullified the disqualified water it is nullified. Although generally there is a principle that one may not intentionally nullify something that is prohibited – אין מבטלים איסור לכתחלה—in this case it does not apply since the disqualified water is not a prohibited substance; it is merely unfit for use for washing. Sha'ar HaTzion (סי' תרכ"ו סק"ו) explains that whenever something is not actually prohibited it is not subject to the principle that restricts intentionally nullifying a prohibited substance. For example, there is no prohibition against sitting in a sukkah that is invalid; it is just that one does not fulfill the mitzvah. Since the matter does not relate to something that is prohibited it may be nullified even intentionally.

A related case that involves these issues was discussed by Teshuvas Har Tzvi (או"ח ח"א סי' פ"ח). Someone filled a bathtub with water and then washed his hands with some of that water. Since only a minor proportion of the water became prohibited because it was used to wash his hands, when that water falls back into the tub it becomes nullified in the majority of water that was not used for washing his hands.

Stories to Share

Fresh Water

ש"ע ק"ס, ג': "מפני שבידוע שנעשה בהם מלאכה"

Not too long ago, running water was not available in most homes. Water was a commodity that took either effort or money to obtain.

One man needed to wash his hands but only had water in a pail in his home. He was unsure whether someone had washed dishes in the water or not. As we find on today's amud, water with which one did labor may not be used for netilas yadayim. Yet, since he was unsure and the water seemed clean in his dimly lit kitchen, he washed with the water that was available. After all, he did not wish to purchase more water unless it was really necessary.

After he washed, but before making hamoti, a member of his household asked him how he had washed. "The water was used to wash the dishes and cannot be used for netilas yadayim."

As this person rushed out for more water, the man who had washed was unsure what to do. Should he make a blessing on the bread? But how could he do so when he had not washed properly? Should he just wait? That was also very b'dieved!

Afterward, when this question was asked of the Kaf Hachaim, zt"l, he ruled decisively. "A person in this situation should make hamotzi and eat less than a k'zayis and wait for water. When the water arrives, he should wash again and continue his meal."

כף החיים, או"ח, ס' ק"ס, ס"ק נ"ח