



פרשת אמור  
אייר תשפ"ב

### DOR LEDOR

Dor Ledor learning continues this  
Motzai Shabbos.

Join us in the Mezzanine from 7:15-  
8:00pm for learning while enjoying a  
nush and a cup of the Rebbetzin's  
hot soup.

To sponsor a week of Dor Ledor  
learning, please contact Rabbi Y.  
Johnson or Rabbi S. Barber.

### SHABBOS SHIUR

All men and women are invited to  
join the Shabbos afternoon Shiur.  
Each week features a different  
speaker addressing different topics.

This week Rabbi Yonason Johnson  
will talk about

#### Visiting Meiron and Kivrei Tzaddikim

*A holy or dubious practise?*

Between Mincha and Maariv each  
Shabbos afternoon in the Yeshivah  
Shule.

### RETIRES LARNING

Are you looking to learn in the  
mornings? Join the retirees' morn-  
ing learning program

Monday-Thursday in Kollel or join  
on Zoom

10:00am Gemara Shabbos with  
Rabbi M Szmerling

10:45-11:15am Halachos of Sefira  
Haomer from the Alter Rebbe's  
Shulchan Aruch

A collection of Torah  
thoughts produced by  
Kollel Menachem



## In this Edition

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## Boundaries between the Rabbi and the Committee

The story is told of a Rov who was employed by the community but was paid a pittance of a wage. He was so poor that he could not afford candles to use to learn by their light at night, having to conserve the limited supply. Instead he would stay up, straining his eyes to learn in the dark.

At night, the Balabatim of the community saw the dark windows of the Rov's house and thought that he was going to sleep early. They felt that it was unbecoming of the dignity of their Kehillah. Their Rov should be a Talmid Chochom who is immersed in Torah late into the night. They decided to fire the Rov. (This story happened to a number of Rabbonim, most famously, the Bach - Rabbi Yoel Sirkis, when he served as the Rov in Belz).

When informed of their decision, the Rov explained that a reversal of roles had taken place. The job of the Rov is to look after the spiritual wellbeing of the community and it is the job of the community to provide for the physical needs of the Rov. Here, it is the Rov who must concern himself with the finances of the community and it the community is concerning itself with the spiritual standing of their Rov!

Parshas Emor begins with a discussion of laws of the Kohanim. After discussing the laws pertaining to the regular Kohanim, the Torah lists the unique Mitzvos that apply to the Kohen Gadol.

In the Posuk, the Kohen Gadol is described as **הכהן הגדול** מאחיו, "the Kohen who is greater than his brothers". From this wording, our sages learn that the Kohen Gadol must wealthier than the other Kohanim.

If he is not wealthier than them, his fellow Kohanim are obliged to give him from their own wealth until he is wealthier than them as the Posuk requires. This is derived from the Torah's description of the Kohen Gadol as **הכהן הגדול מאחיו**, which can also be read as "the Kohen who is great *from* his brothers". In the words of the sages; גדלו משל אחיו, make him greater from his brothers.

In this situation, the Kohen Gadol's authority and ascent to his position comes from his fellow Kohanim. Nonetheless, once installed, only he is the Kohen Gadol. Only he may enter the Kodosh Hakodoshim and fulfil the Avodah of the Kohen Gadol. A regular Kohen, even if they gave the Kohen Gadol his wealth, is considered a **רו** and may not enter. The Holy of Holies is not his place.

The Rebbe derives a powerful message from this Gemora that applies in the relationship between a Rov and his community members.

A Rov and Balabatim have different roles and there must be clear delineation of what is the responsibility of the Balabatim and what is the responsibility of the Rov.

A Rov's job is to be immersed in the Daled Amos of Torah and Tefillah and to lead and instruct the community members in the path of Torah and Halacha.

The Rov of a community may have been elected to the position by the Balabatim of the community. He may have a contract of employment given to him by the governors of the committee. His salary is likely to be paid for by the community as well. His 'greatness', like the Kohen Gadol, comes from his brothers - the members of the community.

A Rov should have the strength and authority to issue Piskei Halocha and uphold the laws of the Torah. Like the Kohanim, if the Rov lacks this strength, it is the responsibility of the Balabatim to empower the Rov and bolster his authority so that he can issue Piskei Halocha without compromise.

And like the Kohanim, it is important to remember that whilst the Rov's authority comes from the community's empowerment, in his role, he alone is the 'Kohen Gadol'. When it comes to the 'Kodesh Hakodoshim' of issuing Piskei Halocha, it is his jurisdiction alone.

All community members have the responsibility to be involved in strengthening and building the Shule and the community. They should devote themselves to activities of Askanus and Gemilus Chassadim and volunteer to help. But when it comes to a matter of Halacha and Psak, this is an area for the Rov alone.

The Rebbe assures that this is the recipe for a successful and prosperous community, both materially and spiritually.

When the conduct of the Kehillah will be in a manner of **גדלו משל אחיו**, the Rov will be able to be a true leader and guide the community in the ways of Torah and Mitzvos. Then they will be deserving of Hashem's blessings, and all of the Balabatim will be blessed with material prosperity.

Based on a sicha Yud Beis Tammuz 5718

# The weekly Halacha analysis

## Choosing tiles for a Mikvah - Part 1

Rabbi Yonason Johnson

*I overheard you discussing what type of tiles would be Halachically preferable for use in retiling the Mikvah at Yeshivah. What type of tiles would be problematic and why?*

Historically, Mikvaos were made of stone or carved into stone. Later they were made with concrete. In terms of floor coverings, the early Poskim discuss whether it is permissible to line the floor of a Mikvah with wooden beams or with metal sheets.

In the last 150 years or so, they began tiling the inside of Mikvaos. As a material, tiles are easier than concrete to keep clean. They are also more aesthetically pleasing and help to make Mikvah use more appealing<sup>1</sup>.

However, not all tiles are recommended. The Poskim identify a number of Halachic issues that can arise with certain types of tiles.

Many tiles are made with grooves or ridges on the back. These are made to 'hold' the mortar that is used to attach the tile to the wall surface. If the grooves or ridges create completely surrounded indentations, they could constitute a Keili – receptacle.



### Drawn water - Sheuvin

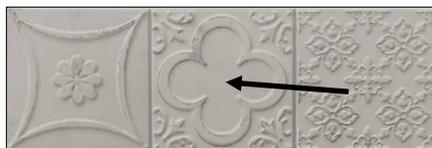
A Mikvah cannot be filled with Mayim Sheuvin – water that has been drawn in Keilim. Further, before the Mikvah has been filled with the required volume of 40 Seah of rainwater, even 3 Lug (just over 1L) of drawn water will disqualify the Mikvah.

In the case of the tiles under discussion, this concern does not apply. Since the indentation is on the side of the tile that is attached to the wall, the rainwater will not go over it<sup>2</sup>.

However, this concern could apply to tiles that are made with grooves on the front surface. This is often done on tiles that are used for the edge of steps to prevent slipping. The grooves could form a Beis Kibbul<sup>3</sup>. If the grooves go all the way through from one end of the tile to the other, the concern does not apply<sup>4</sup>.



This could also apply to using tiles that have embossed or impressed designs that could create a Beis Kibbul.



### Mekabel Tumah

Keilim that are made out of certain materials, which include wood, metal, earthenware, ceramic, porcelain and glass, are Mekabel Tumah (able to contract ritual impurity). If the tiles with grooves are considered as Keilim that are Mekabel Tumah, they will present a number of other Halachic concerns<sup>5</sup>.

### Preventing leaks

One of the disqualifications of a Mikvah is Zechilah, that the water must be still and cannot be flowing. If the Mikvah has a noticeable leak, the Mikvah is invalid<sup>6</sup>. Further, the Shulchan Aruch<sup>7</sup> rules that if there is a leak, one is not allowed to stop or prevent the Zechilah by using something that is Mekabel Tumah.

Theoretically, these tiles could be seen as preventing the water from leaking out of the Mikvah. If so, one would be preventing Zechilah with something that is Mekabel Tumah.

The Poskim who allow the use of these tiles argue that it is the concrete walls of the Mikvah that are containing the water and the tiles are merely decorative. As long as there are no cracks or leaks in the concrete, the tiles are not serving to prevent any water leaving the Mikvah<sup>8</sup>.

### Haviyaso Al Ydei Taharah

Another related issue, is that when filling the Mikvah, the rainwater coming into the Mikvah cannot be contained by or flow over something that is Mekabel Tumah<sup>9</sup>. This is referred to as Haviyaso Al Ydei Taharah. If these grooves render the tile into a Keili that would be Mekabel Tumah, this issue would apply.

### Standing on something Mekabel Tumah

From the Poskim, it seems that the greatest concern is the issue that while immersing, a person is not allowed to stand on something that is Mekabel Tumah<sup>10</sup>. This is a Rabbinic decree known as Gezeiras Merchatzaos which was enacted due to a concern that people may immerse in a Keili itself – which is Biblically.

This issue could apply to standing on tiles that

are on the floor if they are considered as Keilim that are Mekabel Tumah.

The Poskim bring a number of reasons why this concern does not apply;

### A Beis Kibbul that is made to be filled

The standard Beis Kibbul that will be Mekabel Tumah is where the Keili remains as a hollow receptacle e.g. a cup or bowl. But what about a Beis Kibbul that is made to be filled with something so that it does not remain hollow?

The Rishonim debate the status of a “Beis Kibbul that is made to be filled” and whether it is able to receive Tumah or not. This is based on teachings in the Gemara that appear contradictory. Many Rishonim<sup>11</sup> rule that they are not Mekabel Tumah. However, a number of Rishonim<sup>12</sup> do consider such Keilim to be Mekabel Tumah.

The Acharonim present different approaches to resolve the Gemara’s contradictions, leading to different Halachic applications.

The Shevus Yaakov explains that a Beis Kibbul that is made to be filled is only considered Mekabel Tumah if it will sometimes be opened again. If it will remain permanently filled, it is not Mekabel Tumah. Accordingly, since the grooves on the back of the tiles are permanently filled with the mortar, there is no concern<sup>13</sup>.

The Tiferes Yisroel<sup>14</sup> explains that a “Beis Kibbul that is made to be filled” it is only Mekabel Tumah before it has been filled. According to this reason, the tiles will also not be problematic after they have been filled with mortar and affixed. A number of Poskim<sup>15</sup> rely on this logic to be lenient.

1. Usually only the immersing Bor is tiled. The Bor which contains the rainwater is just concrete
2. Minchas Yitzchok 3:90. There could be a concern if a tile were to pop off and land with the back-side up.
3. Even though they are not made for 'receiving', we are still stringent
4. In photos of the Rebbe Rashab's Mikvah in Rostov, the grooves on the tiles go from end to end
5. These concerns don't apply to stone tiles as stone Keilim are not Mekabel Tumah
6. Y.D. 201:50-51
7. Y.D. 201:50 based on the interpretation of the Ra"sh
8. Minchas Yitzchok 3:90
9. Y.D. 201:48. Based on Zevachim 25b
10. Shulchan Aruch Y.D. 198:31 also brought in Y.D. 201:12
11. Rambam Keilim 2:3, Rashi Sanhedrin 68a, Tosfos Shabbos 52b
12. Tosfos Sukkah 12b, Rashba Teshuvah 195, Rash Keilim 26:2
13. Taharas Mayim ibid. This will not apply if the mortar does not cover all of the grooves. See below that this is a concern when using large tiles
14. Keilim 23:1
15. Maharsham 1:2 quoting Melo Haroim. Mei Hashiloach Siman 4, Sefas Emes Sukkah 12b
16. Mahadura Kama YD 96

To be continued