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THE EFFLORESCENCE OF MIKVEH STUDIES

Over ten years, 1999-2008, thirty major works were published on the laws of *mikveh*. What is the nature of these scholarly explorations? How might one account for this efflorescence?

These works may be divided into six categories: (1) commentary on the laws of *mikveh*, chapter 201 of *Yoreh De'ah* in R. Jacob Asher's code, the *Tur*, or on R. Joseph Caro's code, *Shulhan Arukh*; (2) commentary on *Mikva'ot*, seventh tractate in the final *sefer* of the Mishna, *Taharot*; (3) independent essays on topics in the laws of *mikveh*, i.e., *hiddushim* (what the late Prof. Isadore Twersky called discontinuous critical investigations); (4) investigation of contemporary technological issues in the design and construction of a *mikveh* and related practical halakhic inquiries; (5) reissued, corrected, and elucidated classics on *mikveh*; (6) specialties.

(Unless otherwise noted, "*Yoreh De'ah*" refers to the *Shulhan Arukh* of R. Yosef Caro, chapter 201.)

I.

I. Commentary on *Yoreh De'ah*

Or Meir, by R. Meir Posen of London and Kiryat Sefer, consists of one volume on *Tur Yoreh De'ah* 201 (5760), and one on tractate *Mikva'ot* (5766). Each volume is large and very beautifully produced. Helpful summaries of topics are placed in the margin of each page. The author has complete control of the *rishonim* and *aharonim* and assumes as much on the part of the reader. This is not a work for novices. Volume 2 includes extensive drawings and pictures on how to construct a *mikveh*. The lack of an index in each volume is partially compensated for by a detailed table of contents.

Mi-Be'er ha-Mayyim is also a two volume work, by R. Shuval ben Shlomo of Jerusalem, one on tractate *Mikva'ot* (5760) and one on *Yoreh De'ah* (5762). Each volume has a longer and a shorter commentary

(structured like the *Mishna Berurah* and *Bi'ur Halakha*). Here, too, the author has mastered the *rishonim* and many *aharonim*, and offers penetrating readings and *hiddushim*. Unlike the author of *Or Meir*, R. Posen, who is a senior scholar, R. ben Shlomo is a much younger, emerging scholar.

Darkei Halakha: Hilkhhot Mikva'ot (5760), by R. Hayyim Shmerler of Jerusalem, is a set of two commentaries, one long and one short, together with references and notes, on each subchapter (*se'if*) in *Yoreh De'ah*. Appended to the book is a valuable independent essay on the writings of *aharonim* on *bazaka* as it relates to the laws of *mikveh*. The book is indexed.

Sha'arei Mikva'ot (5763), by R. Yissahar Hazan of Jerusalem, consists of four parts: an extensive, learned, and lucid two-part commentary on *Yoreh De'ah*, well indexed; a halakhic explanation of practical laws in constructing a *mikveh*; an anthology of rulings in the laws of *mikveh*; and diagrammed instructions on how to construct a *mikveh*. For diagrammed instructions, *Or Meir* (above) and *Mikveh Mayyim* (#4, below) are superior.

Alei Taharah (5765), by R. Eliezer David Shapira of Bnei Brak, is a long, staggeringly learned series of comments on each *se'if* of *Yoreh De'ah*. A son-in-law of the current Rebbe of Zanz, R. Shapira continues a long family tradition of focus on the laws of *mikveh*, which began with the *Divrei Hayyim*, by R. Chaim Halberstam, founder of the Zanz hasidic line (see "Classics," below). R. Shapira has written similar volumes on other chapters of *Yoreh De'ah*, such as *mezuzzah*.

Be'erot Mayyim (5767), by R. Yechiel Yosef Tyberg of Brooklyn, is a beautifully produced commentary on *Yoreh De'ah* in two parts. The work is extensively indexed. It includes a reprint of the traditional *Yoreh De'ah* pages. The goal of the work is to attain the plain meaning of the *Yoreh De'ah*, with extensive, clear elucidation of questions and comments by later authorities that have arisen on both *Yoreh De'ah* and *Shakh* and *Taz*.

Min ha-Mayyim Meshitihu (5767), by R. Moshe Roth of Brooklyn, is a commentary on *Tur Yoreh De'ah* 201. It is well organized, well indexed, but sometimes off base in its analysis.

2. Tractate *Mikva'ot*

Afikei Mayyim (5764), by R. Moshe Yaakov Mittelman of Bnei Brak, consists of a relatively short commentary on the tractate and ninety-four lengthy independent essays occasioned by topics in the tractate. *Afikei*

Mayyim is a masterpiece of thought and expression. The work includes photocopies of the *Tur* and *Shulhan Arukh* 201, two standard versions of Mishna commentary (16 commentaries), the standard version of Tosefta and the Vilna Gaon's version, many pertinent *gemarot*, Rosh's *Hilkhot Mikva'ot*, and pertinent responsa of Rashba, Maharik, and Rivash — all of which (and more) the author has mastered.

Mareh Hayyim (c. 5765), by R. Isaiah Gerson Avigdor Steinberg of Jerusalem, is a commentary in drawings on the entire tractate. The realia of the tractate are often difficult to ascertain. These drawings are clear and helpful. Written comments explain each drawing's relation to its mishna. Photocopies of *Yoreh De'ah* and of the Rash commentary are included. A section at the end of the work, with drawings on how *mikva'ot* are constructed, is not nearly so helpful as the drawings at the end of *Or Meir* (#1, above) or *Mikveh Mayyim* (#4, below).

Shiurei Rabbenu Yechiel Michel (5768), by R. Michel Feinstein, the late son-in-law of the Brisker Rav, R. Yitzhak Zev Soloveitchik, often includes more than one comment on each mishna. These comments are theoretical analyses in the Brisker tradition. This work is an early volume of a publishing effort to make all of R. Feinstein's novellae available in written form.

Gevurat Yitshak (5767), by R. Yitshak Sorotskin of Lakewood, is a commentary on the first seven chapters of the tractate, skipping the last three chapters, which deal with immersion and its disqualifications. The commentary proceeds mishna by mishna and the book is very well indexed, including a separate index to sources in the Brisker tradition. R. Sorotskin's insights and analyses are penetrating, typical of the many and varied works of this contemporary, prolific scholar.

Shevilei ha-Shulhan: Hilkhot Mikva'ot (5766), by R. Yitshak Simha Rozdal of Jerusalem, is a beautifully produced, hybrid volume. Part I is a commentary on *Yoreh De'ah*, including a summary of sources cited by the *Bet Yosef* and an anthology of later authorities, and it is well indexed by topic. Part II is a commentary on tractate *Mikva'ot* (produced with a vowelized text and the commentary of Rash) in three parts: an explanation of the Mishna, of the Tosefta, and independent comments. Included are four-color, computer-generated pictures of the realia of the cases in the tractate. The hand drawings in *Marei Hayyim* (above) are superior.

3. *Hiddushim*

Bet Eliyahu (5759), by Yitzhak Zvi Lieberman of Bnei Brak, is a series of independent essays, arranged according to topic in tractates *Mikva'ot* and

Yadayyim, with prior citation of central opinions of *rishonim* and *aharonim*. The work is well organized and concise. There is no index.

Divrei Yosef (5760) is by R. Ovadiah Yosef of Jerusalem, the namesake of his famous grandfather (Sephardi Jews, unlike Ashkenazi Jews, name descendants after the living). The grandson's writings evince the wide knowledge (*beki'ut*) of the grandfather as well the Brisker method, which the grandson acquired as a student in the Hebron yeshiva in Jerusalem. *Divrei Yosef* is a unique, sophisticated synthesis of Sephardi and Ashkenazi traditions in the laws of *mikveh*.

Si'ah Torah (5761), by members of the Stolin Karlin Kollel of Bnei Brak, consists of three parts: a) old manuscripts on the laws of *mikveh*; b) independent essays on topics in the laws of *mikveh* (the bulk of the work); and c) R. Avraham Chen's commentary on the Tosefta (and on Rash's comments thereon) on tractate *mikva'ot*. The book is not indexed.

Mei ha-Shilo'ah (5763), by R. Moshe Zvi Baruch Buchbot, is an ambitious, hefty, creative, multipart work, somewhat confusingly organized. The bulk of the work, in three parts, is a restatement of the laws of *mikveh* — its own *Shulhan Arukh*, so to speak, after the manner of *Hibbur le-Taharah* (#5, below) — with commentaries. The breadth and depth of the author's knowledge is enormous, helpful, and lucid, but the reader needs to work hard to coordinate the findings. The book is well indexed.

Kuntres Tehor Enayyim be-Inyanei Mikva'ot (5763), by R. Yaakov Perlow of Brooklyn, consists of fourteen incisive essays on topics in the laws of *mikveh*. The writing is crystal clear. The *kuntres* is a 91-page appendix to *Adat Yaakov* (vol. 2), R. Perlow's *biddushim* on Rambam. The lack of an index is partially compensated for by a detailed table of contents.

Nidvat Peretz (5764), by Nadav Peretz of Ofakim, consists of three parts: a bald restatement of the laws of *mikveh*, based on later authorities, predominantly *Hazon Ish*; *biddushim* on certain *mishnayyot* and certain *seifim* in *Yoreh De'ah*; *biddushim* on topics in the laws of *mikveh*. The book is not indexed.

Mareh Eliyahu (5765), by R. Eliyahu Kessler of Bnei Brak, is divided into two parts. Part I analyzes five topics in the laws of *mikveh*. Part II consists of twenty-two essays. There is some overlap in the topics covered. R. Kessler has a way of expressing complex concepts in clear language. There is no index.

4. Technology and Practical Halakha

Mikvei Mayyim, volumes 2 and 3 (5760), by R. Yirmiyahu Katz of Brooklyn, together with volume 1 (5752), occupy a special place in the

contemporary literature on the laws of *mikveh*. The astonishing breadth of the material covered is matched by the concision and utter clarity in the presentation. Clear, extensive, and helpful drawings are included. R. Katz's work has become the leading work, the gold standard, in the contemporary halakha and construction of *mikva'ot*.

Pithei Mikva'ot (5767), by R. Yaakov Yeshayah Blau of Jerusalem, is as near to comprehensive a collection of practical halakhic questions in the laws of *mikveh* as one is likely to find. The table of contents alone is 27 pages long. The book is an independent classification of the laws of *mikveh* in eleven parts. R. Blau is already well known through his earlier multivolume work on *Hoshen Mishpat*. Appended to the present work is a popular pamphlet on the construction of *mikva'ot* by an expert in Israel, R. David Mintzberg. R. Katz's work (above) is much more comprehensive.

5. Classics

In 5766, R. Zvi Brinner of Zurich, Switzerland, reissued the classic work on the laws of *mikveh*, *Divrei Hayyim*, by R. Chaim Halberstam (1893-1876). Actually, R. Halberstam wrote several books on the topic: independent essays, commentary on the tractate, responsa, and miscellaneous comments. R. Brinner has reproduced them all and commented on some of R. Halberstam's work. Like the other reissued classics, this volume is printed on fine paper, corrects printing errors, is beautifully organized and amply indexed. In 5767, R. Baruch Shimshon Halberstam of Brooklyn reissued the same *Divrei Hayyim*, with the same intent.

In 5766, R. Ben Zion Yehuda Leib Twersky of Brooklyn reissued the classic work of R. Mordechai Dov Twersky of Hornostiepel (1840-1903, son-in-law of R. Chaim Halberstam), *Hibbur le-Taharah*, in two volumes. (The second volume, on *netilat yaddayim*, was originally printed with the laws of *mikveh* in one volume.) R. Twersky's work is an independent classification of the laws of *mikveh* with commentary. The reissued volume contains learned notes, some of which draw heavily on R. Katz's *Mikveh Mayyim* (#4 above). It includes R. Twersky's responsa on *mikva'ot* from his *Emek She'elah* and other sources.

In 5767, R. Yisrael Chaim Glick of Antwerp issued the classic writings of a preeminent halakhic decisor, R. Meir Arik of Galicia (1855-1926), *Hiddushei ha-Gaon R. Meir Arik on the Laws of Mikveh*, subdivided into separate commentaries on the tractate and on *Yoreh De'ah*. Both works were constructed from the comments of R. Arik in his other writings and include many cross-references. The work includes a biography of

the author. It is part of a two-volume set, the second, smaller volume being R. Arik's commentary on the remainder of *sefer Taharot*.

In 5762, Machon Yerushalayim published the manuscript of *Ma'ayanei Mayyim*, by R. Shimon Yehuda Funfeder of Hungary (19th century). The work consists of ninety-two independent essays on the laws of *mikveh*, with notes, comments, an introduction, and index.

6. Specialties

R. Yitzhak Eliezer Waldman of Brooklyn is publishing the commentary of R. Samson of Sens on the entire order of *Taharot* based on original manuscripts. *Perush ha-Rash ha-Shalem: Mikva'ot* (5764) includes the supercommentary, *Si'ah Yitzhak*, on the implications of variants in the text of Rash, as well as variants in the Tosefta to *Mikva'ot*. (Rash deals extensively with the Tosefta.) The volume includes a photocopy of the standard text of Rash, customarily printed at the end of tractate *Niddah*, as well as selections from the commentary of R. Yitzhak b. Malki Zedek of Simpont.

Hallel ha-Kohen (5768), by the present writer of Denver, unravels the elusive commentary of the Vilna Gaon on *Yoreh De'ah*. Due to the elliptical nature of *Bi'ur ha-Gra*, other supercommentaries on it consist of lengthy footnotes. I transformed the Gaon's pithy comments into complete sentences, inserting both his sources and his reasoning sequentially, each in a different type face, so the reader may know when the Gaon, the sources, and the supercommentary, respectively, are speaking. I applied the same methodology to, for example, writings of the last chief rabbi of Kovno, Avraham Dov Ber Kahane Shapira, on *mikveh*. *Hallel ha-Kohen* is indexed.

II.

How may one account for this efflorescence in the previously somewhat obscure field of *mikveh*?

These new volumes were published in many cities on three continents. On the precise cause of this efflorescence, one can only speculate. Perhaps the Jewish community's visceral desire to replace the Jewish population after the Holocaust generates an associated interest in *mikveh*. Perhaps the breakdown in modesty throughout the world entails a paradoxical focus on the ritual of Jewish modesty. Perhaps the growth in Torah study has led some to seek creativity in the relatively unexplored field of *Taharot*. Speaking from personal experience, I have observed an informal

“fraternity” of scholars drawn to the laws of *mikveh*. While many of those working in the field are not even aware of the works of some of the others, all of the authors, when contacted, reveal a similar motivation. There is something about the laws of *mikveh* that the authors find especially holy, sweet, and alluring, more so than other parts of Torah that they have studied and even written on extensively.

I would put it this way: A *mikveh* is a confluence of the spiritual and the material, an interpenetration of the two. Water, arranged a certain way in the ground, has the power to alter one’s halakhic status. The exact same water, arranged differently, is flat, with no spiritual-halakhic effect. Water and earth are the two most basic material substances. Under the direction of the Torah, they yield a powerful spiritual force. God speaks through halakhically arranged materiality, most directly, evidently, and accessibly, in a *mikveh*. Something about this meeting point of the most lofty — the Creator — and the most basic — water and earth — speaks to a certain fraternity of Torah students. Something about the ways water is arranged, poured, channeled, collected, pumped, suctioned, not to mention the ways it flows, bubbles up, heats and cools naturally — each movement eliciting a different halakhic analysis — speaks to the soul.

Whatever the precise explanation(s) for the dramatic growth in interest in *mikveh*, the publishing explosion testifies to an inescapable spiritual-intellectual pull.

The halakhic-spiritual saga continues. Having hardly concluded a review of the literature over a ten-year period, I received four more very large works on *mikveh* in short order: *Moreshet Moshe* (5769), by R. Moshe Steinhouse of Jerusalem, a two-part work on tractate *Mikva’ot*; *Taharat Moshe* (5769), by R. Moshe Williger of Jerusalem, a two volume work (1090 pages!) on *Yoreh De’ah*, including practical halakhic rulings; *Shenot Hayyim* (5769), by R. Chaim Ausabel of Tel Aviv, independent essays with an extraordinary index; and *Ayyen Rash* (5770), by R. Shlomo Zalman Pachman of Betar Ilit, similar to my volume on *Bi’ur ha-Gra*, but concentrating on Rash cited therein.

No doubt, more such learned tomes are yet to come, all because of a mere seven Hebrew words, not even one whole verse in the Torah, “but a spring and a cistern, a gathering of water, will purify . . .” (Lev. 11:36).

