

Koren Talmud Bavli
SHABBAT • PART TWO



Shefa



KOREN

תלמוד בבלי

KOREN TALMUD BAVLI

— THE NOÉ EDITION —

שבת ב

SHABBAT • PART TWO

COMMENTARY BY

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(Steinsaltz)

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Supported by the Matanel Foundation

Koren Talmud Bavli
Volume 3: Tractate Shabbat, Part Two
The Noé Edition

ISBN 978 965 301 565 4

First Hebrew/English Edition, 2012

Koren Publishers Jerusalem Ltd.
PO Box 4044, Jerusalem 91040, ISRAEL
PO Box 8531, New Milford, CT 06776, USA
www.korenpub.com

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*Shefa Foundation is the parent organization
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Talmud Design © 2012 Koren Publishers Jerusalem Ltd.
Original Illustrations © 1965, 2012 Shefa Foundation
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הִנֵּה יָמִים בָּאִים, נֹאֵם אֲדֹנָי יְהוִה, וְהִשְׁלַחְתִּי רָעָב בָּאָרֶץ,
לֹא-רָעָב לֶלֶחֶם וְלֹא-צָמָא לַמַּיִם, כִּי אֶם-לִשְׁמֹעַ אֶת דְּבָרֵי יְהוִה.

Behold, days are coming – says the Lord God –
I will send a hunger to the land, not a hunger for bread
nor a thirst for water, but to hear the words of the Lord.

(AMOS 8:11)

*The Noé edition of the Koren Talmud Bavli
with the commentary of Rabbi Adin Steinsaltz (Even-Israel)
is dedicated to all those who open its covers
to quench their thirst for Jewish knowledge,
in our generation of Torah renaissance.*

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the novice and the savant alike,
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in the bookcases of the Beit Midrash,
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and in the offices of professionals and business people
who carve out precious time to grapple with its timeless wisdom.*

For the Student and the Scholar

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*Once upon a time, under pressure of censorship,
printers would inscribe in the flyleaves
of volumes of the Talmud:*

*Whatever may be written herein about gentiles
does not refer to the gentiles of today,
but to gentiles of times past.*

*Today, the flyleaves of our books bear a similar inscription,
albeit an invisible one:*

*Whatever may be written herein about Jews
does not refer to the Jews of today,
but to Jews who lived in other times.*

*So we are able to sit down and study Torah, Talmud,
books of ethics, or books of faith
without considering their relevance to our lives.*

*Whatever is written there
does not apply to us or to our generation,
but only to other people, other times.*

*We must expunge from those invisible prologues
the notion that the words are written about someone else,
about others, about anyone but us.*

*Whether the book is a volume of Torah,
a tractate of the Talmud, or a tract of faith,
the opposite must be inscribed:*

*Whatever is written herein refers only to me;
is written for me and obligates me.*

First and foremost, the content is addressed to me.

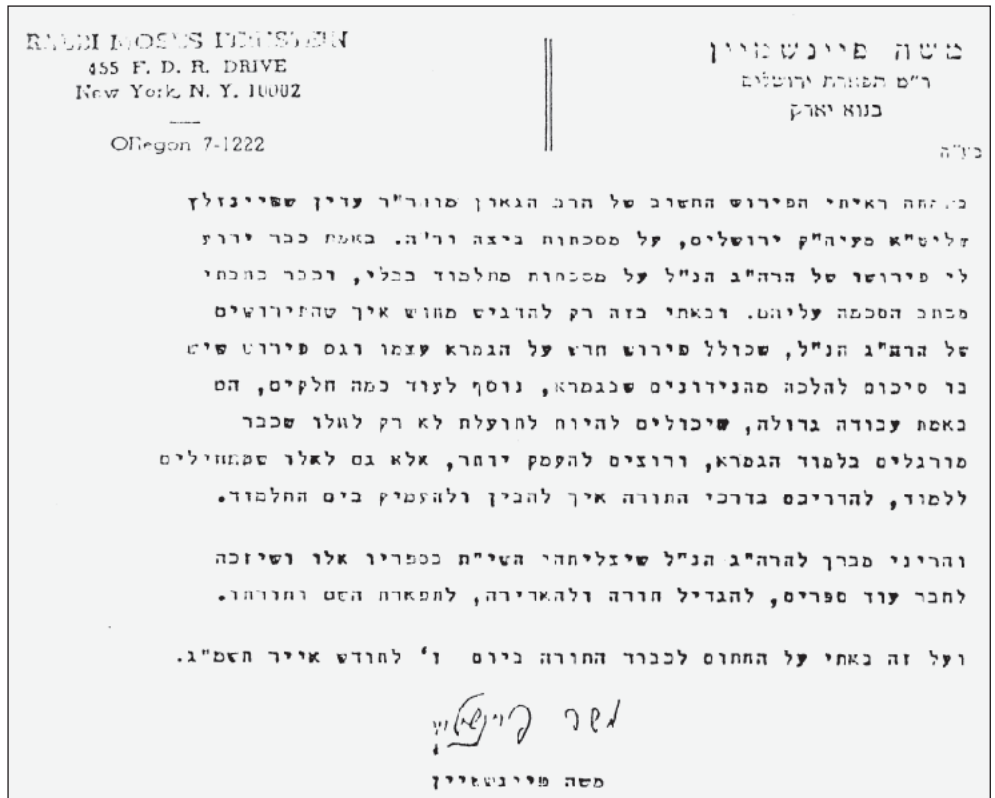
— From a public address by Rabbi Adin Even-Israel Steinsaltz
as quoted in *חיי עולם* (Talks on Parashat HaShavua)
Maggid Books, 2011

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Haskama

Rabbi Moshe Feinstein



... These new commentaries – which include a new interpretation of the Talmud, a halakhic summary of the debated issues, and various other sections – are a truly outstanding work; they can be of great benefit not only to those familiar with talmudic study who seek to deepen their understanding, but also to those who are just beginning to learn, guiding them through the pathways of the Torah and teaching them how to delve into the sea of the Talmud.

I would like to offer my blessing to this learned scholar. May the Holy One grant him success with these volumes and may he merit to write many more, to enhance the greatness of Torah, and bring glory to God and His word...

Rabbi Moshe Feinstein
New York, 7 Adar 5743

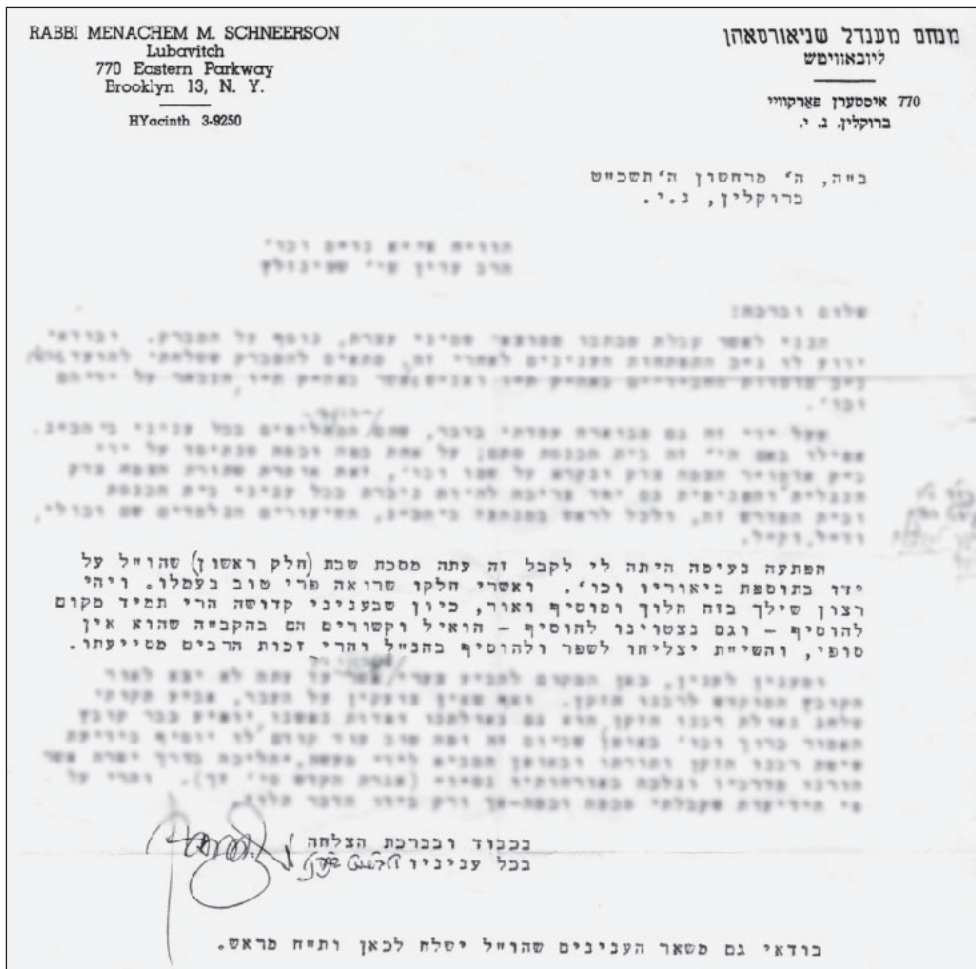
ר"מ משה פיינשטיין שליט"א
 הגה ראיתי את מסכת אחת מהש"ס שנקד אותה וגם
 צייר צורות הצמחים וכדומה מדברים שלא ידוע לכמה
 אנשים הרב"ג ר' עדין שטיינזלץ מירושלים שליט"א
 וגם הוסיף שם בגליון פירושים וחידושים וניכר שהוא
 ת"ח וראויין לעיין בהם ת"ח ובני הישיבה וטוב גם
 לקנותם בבתי כנסיות ובבתי מדרשות שיש שיתנו להם
 לתועלת. – ועל זה באיתי עה"ח ג' אדר ב' תש"ל.
 נאם משה פיינשטיין
 ר"מ תפארת ירושלים, ניו יורק, אדר"ב

I have seen one tractate from the Talmud to which the great scholar Rabbi Adin Steinsaltz שליט"א has added *nikkud* (vowels) and illustrations to explain that which is unknown to many people; he has also added interpretations and innovations, and is evidently a *talmid hakham*. *Talmidei hakhamim* and yeshiva students ought to study these volumes, and synagogues and *batei midrash* would do well to purchase them, as they may find them useful.

Rabbi Moshe Feinstein
New York, Adar 5730

Haskama

Rabbi Menachem Mendel Schneerson



... I have just had the pleasant surprise of receiving tractate *Shabbat* (part one), which has been published by [Rabbi Steinsaltz] along with his explanations, etc. Happy is the man who sees good fruits from his labors. May he continue in this path and increase light, for in the matters of holiness there is always room to add – and we have been commanded to add – for they are linked to the Holy One, Blessed be He, Who is infinite. And may the Holy One grant him success to improve and enhance this work, since the greater good strengthens his hand ...

Rabbi Menachem Mendel Schneerson
The Lubavitcher Rebbe
Brooklyn, 5 Marḥeshvan, 5729

"ושמעו כיום ההוא החרשים דברי ספר"

(ישעי' כט' יח')

תרגום ספרי קדמונים לשפת דורות אחרונים – היא משימתם של חכמי דור ודור. ובישראל שטורות "ושננתם לבניך" מקיפה את כל חלקי האומה, ודאי שהיתה זאת המשימה בכל עידן ועידן. בכל דור כך, ובדורנו אשר רבים בו הקרובים שנחקקו וחוזרים ומחקרים – לא כל שכן. כי רבים היום האומרים "מי ישקנו מים מבאר" התלמוד, ומדענים הם הדולים ומסקים. ראוי אפוא להערכה מיוחדת נסיונו הסבורך של הצעיר המופלא, הרב עדין שטיינזלץ, לפרט פרקי-תלמוד בהסברה מורחבת-תמציתית. אשר נוסף על המדויק המלולי והענייני הוא מעלה גם את ההגיון של הדברים ומתרגמת אותם לשפת-המודרניים של כן-דורנו. דומה שכל הנבונים אל חומר למודי מחוץ רצון להבינו – התלמיד החרוץ והמבוגר המשכיל – לא יתקלו בשום קושי בבואם ללמוד סוגיא תלמודית לפי פרוש זה. ולא עוד אלא שיש לקוות כי ההסברה הגיונית תעמידה מיד על טוב-הטעם ~~שם~~ של דף-הגמרא, והם ימסכו יותר ויותר אל הלמוד העיוני הזה אשר שוכני המוחות בישראל לנו בעומקו, ואשר מטנו מינה, ממנו יתד לבנין היינו. נועם ד' על המפרש הנמרץ להמשיך במפעלו, וברוכים כל העוזרים להוצאתו לאור-עולם.

ביקר אורייתא

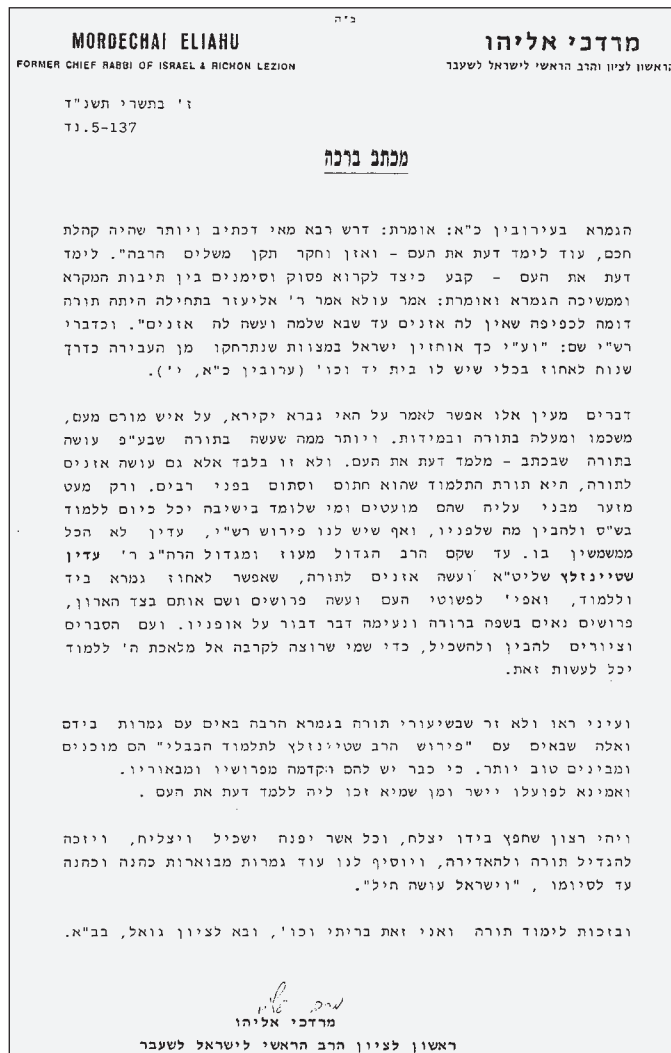
(אתימה)

The translation of the books of our past into the language of the present – this was the task of the sages of every generation. And in Israel, where the command to “teach them repeatedly to your children” applies to all parts of the nation, it was certainly the task of every era. This is true for every generation, and in our time – when many of those who have strayed far are once again drawing near – all the more so. For many today say, “Who will let us drink from the well” of Talmud, and few are those who offer up the waters to drink.

We must, therefore, particularly commend the blessed endeavor of Rabbi Adin Steinsaltz to explain the chapters of the Talmud in this extensive yet succinct commentary, which, in addition to its literal interpretation of the text, also explicates the latter’s underlying logic and translates it into the language of our generation.

It appears that all those who seek to study Talmud – the diligent student and the learned adult – will have no difficulty understanding when using this commentary. Moreover, we may hope that the logical explanation will reveal to them the beauty of the talmudic page, and they will be drawn deeper and deeper into the intellectual pursuit which has engaged the best Jewish minds, and which serves as the cornerstone of our very lives...

Rabbi Moshe Zvi Neria



Haskama

Rabbi Mordechai Eliyahu

The Talmud in *Eruvin* 21b states: "Rava continued to interpret verses homiletically. What is the meaning of the verse: 'And besides being wise, Kohelet also taught the people knowledge; and he weighed, and sought out, and set in order many proverbs'? (Ecclesiastes 12:9). He explains: He taught the people knowledge; he taught it with the accentuation marks in the Torah, and explained each matter by means of another matter similar to it. And he weighed [izen], and sought out, and set in order many proverbs; Ulla said that Rabbi Eliezer said: At first the Torah was like a basket without handles [oznayim] until Solomon came and made handles for it." And as Rashi there explains: "And thus were Israel able to grasp the mitzvot and distance themselves from transgressions – just as a vessel with handles is easily held, etc."

Such things may be said of this beloved and eminent man, a great sage of Torah and of virtue. And far more than he has done with the Oral Torah, he does with the Written Torah – teaching the people knowledge. And beyond that, he also affixes handles to the Torah, i.e., to the Talmud, which is obscure and difficult for many. Only the intellectual elite, which are a precious few, and those who study in yeshiva, can today learn the Talmud and understand what it says – and even though we have Rashi, still not everyone uses him. But now the great scholar Rabbi Adin Steinsaltz שליט"א has come and affixed handles to the Torah, allowing the Talmud to be held and studied, even by simple men. And he has composed a commentary alongside the text, a fine commentary in clear, comprehensible language, "a word fitly spoken" with explanations and illustrations, so that all those who seek to study the work of God can do so.

Rabbi Mordechai Eliyahu
Former Chief Rabbi of Israel, 7 Tishrei, 5754

Message from Rabbi Adin Even-Israel (Steinsaltz)

The Talmud is the cornerstone of Jewish culture. True, our culture originated in the Bible and has branched out in directions besides the Talmud, yet the latter's influence on Jewish culture is fundamental. Perhaps because it was composed not by a single individual, but rather by hundreds and thousands of Sages in *batei midrash* in an ongoing, millennium-long process, the Talmud expresses not only the deepest themes and values of the Jewish people, but also of the Jewish spirit. As the basic study text for young and old, laymen and learned, the Talmud may be said to embody the historical trajectory of the Jewish soul. It is, therefore, best studied interactively, its subject matter coming together with the student's questions, perplexities, and innovations to form a single intricate weave. In the entire scope of Jewish culture, there is not one area that does not draw from or converse with the Talmud. The study of Talmud is thus the gate through which a Jew enters his life's path.

The *Koren Talmud Bavli* seeks to render the Talmud accessible to the millions of Jews whose mother tongue is English, allowing them to study it, approach it, and perhaps even become one with it.

This project has been carried out and assisted by several people, all of whom have worked tirelessly to turn this vision into an actual set of books to be studied. It is a joyful duty to thank the many partners in this enterprise for their various contributions. Thanks to Koren Publishers Jerusalem, both for the publication of this set and for the design of its very complex graphic layout. Thanks of a different sort are owed to the Shefa Foundation and its director, Rabbi Menachem Even-Israel, for their determination and persistence in setting this goal and reaching it. Many thanks to the translators, editors, and proofreaders for their hard and meticulous work. Thanks to the individuals and organizations that supported this project, chief among them the Matanel Foundation and the Noé family of London. And thanks in advance to all those who will invest their time, hearts, and minds in studying these volumes – to learn, to teach, and to practice.

Rabbi Adin Even-Israel (Steinsaltz)
Jerusalem 5772

Acknowledgments

We are indeed privileged to dedicate this edition of the *Koren Talmud Bavli* in honor of the generous support of Leo and Sue Noé of London.

The name Noé is synonymous with philanthropy. The family's charitable endeavors span a vast range of educational projects, welfare institutions, and outreach organizations across the globe, with a particular emphasis on the "nurturing of each individual." Among so many other charitable activities, the Noés have been deeply involved with *Kisharon*, which provides the British Jewish community with vital support for hundreds of people with learning difficulties and their families; they provide steadfast support of SEED, which stands at the forefront of adult Jewish education in the UK, and *Kemach*, an organization in Israel that "helps Haredi students sustain themselves in dignity," providing both professional and vocational training for the Haredi community in Israel.

The Noés are not simply donors to institutions. They are partners. Donors think of a sum. Partners think of a cause, becoming rigorously and keenly involved, and giving of their time and energy. We are honored that they have chosen to partner with our two organizations, *Shefa* and *Koren Publishers Jerusalem*, enabling us to further and deepen learning among all Jews.

Leo and Sue are the proud parents and grandparents of five children and their families. The next generation has been taught by example that with life's gifts come the responsibilities to be active within and contribute to society – both Jewish and non-Jewish – as is consistent with the noblest of Jewish values.

Rabbi Adin Even-Israel (Steinsaltz)
Matthew Miller, Publisher
Jerusalem 5773

Introduction by the Editor-in-Chief

The vastly expanded audience of Talmud study in our generation is a phenomenon of historical proportions. The reasons for this phenomenon are many, and include the availability of a wide array of translations, commentaries, and study aids.

One outstanding example of such a work is the translation of the Talmud into modern Hebrew by Rabbi Adin Even-Israel (Steinsaltz). The product of a lifetime of intense intellectual labor, this translation stands out in its uniqueness.

But what can the interested student do if he or she does not comprehend the Hebrew, even in its modern form? Where is the English speaker who wishes to access this instructive material to turn?

The *Koren Talmud Bavli* that you hold in your hand is designed to be the answer to those questions.

This work is the joint effort of Rabbi Steinsaltz himself, his closest advisory staff, and Koren Publishers Jerusalem. It is my privilege to have been designated Editor-in-Chief of this important project, and to have worked in close collaboration with a team of translators and proofreaders, artists and graphic designers, scholars and editors.

Together we are presenting to the English-speaking world a translation that has all the merits of the original Hebrew work by Rabbi Steinsaltz, and provides assistance for the beginner of any age who seeks to obtain the necessary skills to become an adept talmudist.

This is the third volume of the project, tractate *Shabbat*, part II. It includes the entire original text, in the traditional configuration and pagination of the famed Vilna edition of the Talmud. This enables the student to follow the core text with the commentaries of Rashi, *Tosafot*, and the customary marginalia. It also provides a clear English translation in contemporary idiom, faithfully based upon the modern Hebrew edition.

At least equal to the linguistic virtues of this edition are the qualities of its graphic design. Rather than intimidate students by confronting them with a page-size block of text, we have divided the page into smaller thematic units. Thus, readers can focus their attention and absorb each discrete discussion before proceeding to the next unit. The design of each page allows for sufficient white space to ease the visual task of reading. The illustrations, one of the most innovative features of the Hebrew edition, have been substantially enhanced and reproduced in color.

The end result is a literary and artistic masterpiece. This has been achieved through the dedicated work of a large team of translators, headed by Rabbi Joshua Schreier, and through the unparalleled creative efforts of Raphaël Freeman and his gifted staff.

The group of individuals who surround Rabbi Steinsaltz and support his work deserve our thanks as well. I have come to appreciate their energy, initiative, and persistence. And I thank the indefatigable Rabbi Menachem Even-Israel, whom I cannot praise highly enough. The quality of his guidance and good counsel is surpassed only by his commitment to the dissemination and perpetuation of his father's precious teachings.

Finally, in humility, awe, and great respect, I acknowledge Rabbi Adin Even-Israel (Steinsaltz). I thank him for the inspirational opportunity he has granted me to work with one of the outstanding sages of our time.

Rabbi Tzvi Hersh Weinreb
Jerusalem 5772

Preface by the Executive Editor

In both tractate *Berakhot* and in the first volume of tractate *Shabbat*, parallel disputes on the subject of educational philosophy are presented. In *Berakhot* (28a), Rabban Gamliel's exacting admission standards are defined: Any student whose inside is not like his outside, i.e., his thoughts and feelings are different from his conduct and character traits, will not enter the study hall. This approach is contrasted with the open approach of Rabbi Elazar ben Azarya. When Rabbi Elazar ben Azarya replaced Rabban Gamliel as the head of the yeshiva, the Gemara relates: They dismissed the guard at the door and permission was granted to the students to enter. As a result, Abba Yosef ben Dostai and the Rabbis disputed this matter. One said: Four hundred benches were added to the study hall. And one said: Seven hundred benches were added to the study hall.

In *Shabbat* (31a), the Gemara contrasts the approach of Shammai with the approach of Hillel. On more than one occasion, Shammai pushed away potential converts who raised problematic requests with the builder's cubit in his hand. Hillel, through his forbearance, was able to see the person behind the problematic request and guide him into the world of Judaism. Three such converts gathered together and stated: Shammai's impatience sought to drive us from the world; Hillel's patience brought us under the wings of the Divine Presence.

The *Koren Talmud Bavli* seeks to follow in the paths of Rabbi Elazar ben Azarya and Hillel. Its user-friendly layout, together with its accessible translation, takes the

Steinsaltz commentary on the Talmud one step further. It opens the doors to even more students who might have previously felt excluded from the exciting give and take of the study hall, enabling them to take their place as full-fledged participants in the world of Talmud study.

My involvement in the production of the *Koren Talmud Bavli* has been both a privilege and a pleasure. The Shefa Foundation, headed by Rabbi Menachem Even-Israel and devoted to the dissemination of the wide-ranging, monumental works of Rabbi Adin Even-Israel (Steinsaltz), constitutes the Steinsaltz side of this partnership; Koren Publishers Jerusalem, headed by Matthew Miller, with the day-to-day management in the able hands of Raphaël Freeman, constitutes the publishing side of this partnership. The combination of the inspiration, which is the hallmark of Shefa, with the creativity and professionalism for which Koren is renowned and which I experience on a daily basis, has lent the *Koren Talmud Bavli* its outstanding quality in terms of both content and form.

I would like to express my appreciation for Rabbi Dr. Tzvi Hersh Weinreb, the Editor-in-Chief, whose insight and guidance have been invaluable. The contribution of my friend and colleague, Rabbi Dr. Shalom Z. Berger, the Senior Content Editor, cannot be overstated; his title does not begin to convey the excellent direction he has provided in all aspects of this project. The erudite and articulate men and women who serve as translators, editors and proofreaders have ensured that this project adheres to the highest standards.

There are several others whose contributions to this project cannot be overlooked. On the Steinsaltz side: Meir HaNegbi, Yacov Elbert, Tsipora Ifrah, and Oria Tubul. On the Koren side, my colleagues at Koren: Rabbi David Fuchs, Rabbi Hanan Benayahu, Efrat Gross, Rachel Hanstater Meghnagi, Eliyahu Misgav, Rabbi Yinon Chen, and Rabbi Carmiel Cohen. Their assistance in all matters, large and small, is appreciated.

At the risk of being repetitious, I would like to thank Rabbi Dr. Berger for introducing me to the world of Steinsaltz. Finally, I would like to thank Rabbi Menachem Even-Israel, with whom it continues to be a pleasure to move forward in this great enterprise.

Rabbi Joshua Schreier
Jerusalem 5772

Introduction by the Publisher

The Talmud has sustained and inspired Jews for thousands of years. Throughout Jewish history, an elite cadre of scholars has absorbed its learning and passed it on to succeeding generations. The Talmud has been the fundamental text of our people.

Beginning in the 1960s, Rabbi Adin Even-Israel (Steinsaltz) שליט"א created a revolution in the history of Talmud study. His translation of the Talmud, first into modern Hebrew and then into other languages, as well the practical learning aids he added to the text, have enabled millions of people around the world to access and master the complexity and context of the world of Talmud.

It is thus a privilege to present the *Koren Talmud Bavli*, an English translation of the talmudic text with the brilliant elucidation of Rabbi Steinsaltz. The depth and breadth of his knowledge are unique in our time. His rootedness in the tradition and his reach into the world beyond it are inspirational.

Working with Rabbi Steinsaltz on this remarkable project has been not only an honor, but a great pleasure. Never shy to express an opinion, with wisdom and humor, Rabbi Steinsaltz sparkles in conversation, demonstrating his knowledge (both sacred and worldly), sharing his wide-ranging interests, and, above all, radiating his passion. I am grateful for the unique opportunity to work closely with him, and I wish him many more years of writing and teaching.

Our intentions in publishing this new edition of the Talmud are threefold. First, we seek to fully clarify the talmudic page to the reader – textually, intellectually, and graphically. Second, we seek to utilize today's most sophisticated technologies, both in print and electronic formats, to provide the reader with a comprehensive set of study tools. And third, we seek to help readers advance in their process of Talmud study.

To achieve these goals, the *Koren Talmud Bavli* is unique in a number of ways:

- The classic *tzurat hadaf* of Vilna, used by scholars since the 1800s, has been reset for great clarity, and opens from the Hebrew “front” of the book. Full *nikkud* has been added to both the talmudic text and Rashi's commentary, allowing for a more fluent reading with the correct pronunciation; the commentaries of *Tosafot* have been punctuated. Upon the advice of many English-speaking teachers of Talmud, we have separated these core pages from the translation, thereby enabling the advanced student to approach the text without the distraction of the translation. This also reduces the number of volumes in the set. At bottom of each *daf*, there is a reference to the corresponding English pages. In addition, the Vilna edition was read against other manuscripts and older print editions, so that texts which had been removed by non-Jewish censors have been restored to their rightful place.
- The English translation, which starts on the English “front” of the book, reproduces the *menukad* Talmud text alongside the English translation (in bold) and commentary and explanation (in a lighter font). The Hebrew and Aramaic text is presented in logical paragraphs. This allows for a fluent reading of the text for the non-Hebrew or non-Aramaic reader. It also allows for the Hebrew reader to refer easily to the text alongside. Where the original text features dialogue or poetry, the English text is laid out in a manner appropriate to the genre. Each page refers to the relevant *daf*.

- Critical contextual tools surround the text and translation: personality notes, providing short biographies of the Sages; language notes, explaining foreign terms borrowed from Greek, Latin, Persian, or Arabic; and background notes, giving information essential to the understanding of the text, including history, geography, botany, archeology, zoology, astronomy, and aspects of daily life in the talmudic era.
- Halakhic summaries provide references to the authoritative legal decisions made over the centuries by the rabbis. They explain the reasons behind each halakhic decision as well as the ruling's close connection to the Talmud and its various interpreters.
- Photographs, drawings, and other illustrations have been added throughout the text – in full color in the Standard and Electronic editions, and in black and white in the Daf Yomi edition – to visually elucidate the text.

This is not an exhaustive list of features of this edition, it merely presents an overview for the English-speaking reader who may not be familiar with the “total approach” to Talmud pioneered by Rabbi Steinsaltz.

Several professionals have helped bring this vast collaborative project to fruition. My many colleagues are noted on the Acknowledgements page, and the leadership of this project has been exceptional.

RABBI MENACHEM EVEN-ISRAEL, DIRECTOR OF THE SHEFA FOUNDATION, was the driving force behind this enterprise. With enthusiasm and energy, he formed the happy alliance with Koren and established close relationships among all involved in the work.

RABBI DR. TZVI HERSH WEINREB שליט"א, EDITOR-IN-CHIEF, brought to this project his profound knowledge of Torah, intellectual literacy of Talmud, and erudition of Western literature. It is to him that the text owes its very high standard, both in form and content, and the logical manner in which the beauty of the Talmud is presented.

RABBI JOSHUA SCHREIER, EXECUTIVE EDITOR, assembled an outstanding group of scholars, translators, editors, and proofreaders, whose standards and discipline enabled this project to proceed in a timely and highly professional manner.

RABBI MEIR HANEGBI, EDITOR OF THE HEBREW EDITION OF THE STEINSALTZ TALMUD, lent his invaluable assistance throughout the work process, supervising the reproduction of the Vilna pages.

RAPHAËL FREEMAN, EXECUTIVE EDITOR OF KOREN, created this Talmud's unique typographic design which, true to the Koren approach, is both elegant and user-friendly.

It has been an enriching experience for all of us at Koren Publishers Jerusalem to work with the Shefa Foundation and the Steinsaltz Center to develop and produce the *Koren Talmud Bavli*. We pray that this publication will be a source of great learning and, ultimately, greater *Avodat Hashem* for all Jews.

Matthew Miller, Publisher
Koren Publishers Jerusalem
Jerusalem 5772

Introduction to **Shabbat**

And God blessed the seventh day and hallowed it because on it He rested from all His work that God in creating had made.

(Genesis 2:3)

Six days shall you labor and do all your work. But the seventh day is Shabbat unto the Lord your God; you shall not do any manner of work, you, nor your son, nor your daughter, nor your manservant, nor your maidservant, nor your cattle, nor your stranger who is within your gates. For in six days the Lord made heaven and earth, the sea, and all that is in them, and rested on the seventh day; therefore the Lord blessed the Shabbat day and hallowed it.

(Exodus 20:9–11)

Therefore, you shall keep the Shabbat, for it is holy unto you; every one that profanes it shall surely be put to death, for whoever does any work on it, that soul shall be cut off from among his people.

(Exodus 31:14)

If you turn away your foot because of the Shabbat, from pursuing your business on My holy day, and call the Shabbat a delight, the holy of the Lord honorable; and shall honor it, not doing your wonted ways, nor pursuing your business, nor speaking thereof. Then shall you delight yourself in the Lord, and I will make you to ride upon the high places of the earth, and I will feed you with the heritage of Jacob your father; for the mouth of the Lord has spoken it.

(Isaiah 58:13–14)

Thus said the Lord: Take heed for the sake of your souls, and bear no burden on the Shabbat day, nor bring it into the gates of Jerusalem.

(Jeremiah 17:21)

And if the peoples of the land bring ware or any food on the Shabbat day to sell, we would not buy from them on the Shabbat or on a holy day.

(Nehemiah 10:32)

Tractate *Shabbat* is the first and the largest tractate in the order of *Moed*. It deals with the *halakhot* of the most sacred day of all,¹ Shabbat.

Numerous *halakhot*, veritable mountains of *halakhot*,² are found among the mitzvot of Shabbat, both positive mitzvot and prohibitions. Included in these are mitzvot of biblical origin, those established by the Prophets, and many rabbinic decrees and ordinances. Shabbat has even been adorned with the aura of legend; it is a day of rest and sanctity, God's gift to a treasured nation.

There are numerous facets to Shabbat in *halakha* and *aggada*. However, one aspect is fundamental and central: Abstention from creative labor. The only way to achieve a proper grasp of Shabbat and its *halakhot*, ranging from Torah statutes to rabbinic ordinances and decrees issued throughout the generations, is by means of gaining an understanding of this fundamental principle.

The mitzva to abstain from labor and the prohibition to perform labor on Shabbat are both closely tied to the biblical depiction of the creation of the world and God's own abstention from work on the seventh day. The Shabbat of the Jewish people is, in a sense, an extension and emulation of the Shabbat of the Holy One, Blessed be He, from which our Shabbat draws its spiritual foundations. On the seventh day, God abstained "from all His work that God in creating had made." In the Torah, the Jewish people were explicitly commanded to abstain from engaging in the construction of the Tabernacle on Shabbat.

There are two equally fundamental aspects to these activities that are essential to the comprehension of the concept of labor prohibited on Shabbat: They are both creative acts of tangible labor and work done with prior intent. These two fundamental principles are captured in the following halakhic terminology: Planned, thoughtful, creative labor was prohibited by the Torah,³ and: For all destructive acts, one is exempt.⁴ The exceptions to the latter principle are those actions that are destructive in the short term, but in the long term are actually preparations for constructive acts that will follow.

Labor on Shabbat is defined in this manner because of the aforementioned comparison between our Shabbat and God's Shabbat at the end of the creation of the universe. The degree of physical exertion expended to perform a particular action is not taken into consideration, nor does it matter whether or not the action produces results or brings profit to the worker, or whether it serves as the means of one's livelihood. It is for this reason that even activities in which the amount of energy expended is minimal and which serve only for enjoyment, e.g., writing or kindling a fire, are prohibited by the Torah and constitute labor, i.e., creating a tangible result with prior intent.

Most of the *halakhot* of Shabbat, which are comprised of thirty-nine primary categories of prohibited labor and their subcategories, are the elaboration and detailed enumeration of these major principles in the definition of the various types of creative labor and the establishment of their parameters and limits. The ordinances and safeguards instituted by the Sages of blessed memory merely strengthen and reinforce the proper observance of the Shabbat in practical terms. They determine how to refrain from prohibited labor and from any action that could potentially lead to performance of a prohibited labor.

Among the thirty-nine primary categories of labor enumerated with regard to Shabbat, there is only one that is anomalous, and its explication occupies a most significant place in the tractate of *Shabbat*: Carrying out an object from one domain to another. According to Torah law, it is prohibited to carry any object on Shabbat from the domain in which it is located to another domain. There is no element of physical exertion or toil involved in this labor, as one is liable even for carrying out minuscule objects. On the other hand, carrying out cannot be included in the category of truly creative labors either. In truth, this labor is in a category of its own, a distinct Torah law that underscores the nature of rest on Shabbat.

The term *shabbaton* means cessation of the creative activities that characterize the six active days of the week. *Shabbaton* also means silence, rest, cessation of the motility and hustle-bustle of the weekdays, cessation of the connection between the private domain of the individual and the public domain, and the transformation of the public domain into an environment of quiescence and tranquility. So that the tranquility of Shabbat will be complete, the parameters of these realms are delineated in a manner

unique to Shabbat, unlike the definition of public and private domains in other areas of *halakha*, i.e., property law and the *halakhot* of ritual impurity. It is both prohibited to carry objects from one domain to another and to carry objects within the confines of the public domain.

The subcategories and complex details of the prohibited labor of carrying out on Shabbat, along with the ordinances and decrees issued by the Sages to foster its observance, constitute a significant portion of the *halakhot* contained in tractate *Shabbat*.

Although the essence of Shabbat lies in the observance of its restfulness, which is manifested in the prohibitions against creative labor and carrying out from one domain to another, there are also positive commandments involved in the observance of Shabbat, beyond the mitzva to sacrifice additional offerings in the Temple. These positive commandments are alluded to in the verse: “Remember the day of Shabbat to keep it holy.”⁵ The practical fulfillment of this mitzva is multifaceted. It begins with the essential commandment of *kiddush*, sanctification of Shabbat over a cup of wine, along with the special liturgy and customs unique to Shabbat; and it extends to the reference to each weekday in terms of its relative distance from Shabbat. This mitzva also includes the ordinance of taking delight in Shabbat, consistent with the words of the prophet Isaiah. This is accomplished by the enjoyment that is added to the Shabbat meal, the kindling of the Shabbat lights, and all means of celebration that do not conflict with the basic tenets of Shabbat observance.

According to the oral tradition transmitted through the generations, an entire framework of ordinances and safeguards, categorized under the rubric of *shevut*, was instituted in the days of the earliest Prophets to ensure proper Shabbat observance. Included in this framework is the decree against engaging in commerce on Shabbat, already mentioned in the Bible. The institution of additional Shabbat domains originated long ago, along with the designation of additional areas in which the movement and transfer of objects is prohibited. The details of these ordinances are specified in the tractate *Eruvin*.

Among the activities that fall into the category of *shevut* are both those prohibited due to their similarity to the prohibited acts of creative labor and those prohibited due to the concern that they might lead to the performance of a prohibited labor. The *halakhot* of set-aside [*muktze*], which prohibit the use of materials or utensils typically utilized in the performance of creative labor, fall into the category of *shevut* as well. The Sages also prohibited typical weekday activities, as it is inappropriate to engage in them on this sacred day. Therefore, tractate *Shabbat* is distinctive in its terminology. It distinguishes between liability and exemption by Torah law, between actions for whose performance one is exempt by Torah law but whose performance is prohibited by the Prophets and Sages, and actions that are expressly permitted.

The *halakhot* of Shabbat in general, their fundamental principles and their details, and the elucidation of those *halakhot* that deviate from those principles, e.g., matters of life and death or circumcision on Shabbat, are all explained in the twenty-four chapters of tractate *Shabbat*. These twenty-four chapters are not arranged systematically by subject matter, but rather are ordered based on association between similar matters and the chronology of the activities performed on Shabbat eve leading up to Shabbat and those performed on Shabbat.

Chapter One, excluding its opening section, is mostly occupied with those matters with which a person must concern himself before Shabbat begins. The opening

section deals with carrying in and between the various Shabbat domains. There is also an extensive treatment of eighteen decrees issued by Beit Shammai and Beit Hillel with regard to matters of ritual impurity.

Chapter Two discusses the kindling of the Shabbat lights and other preparations that must be performed just before Shabbat begins.

Chapter Three deals with food items that may be left upon the fire as Shabbat begins and with the prohibited labor of cooking in general. That discussion concludes in the next chapter.

Chapter Four is concerned with the laws of insulating hot liquids and foods on Shabbat.

Chapter Five lists the harnesses and other gear that may or may not be left upon a domesticated animal, due to the concern that the animal may carry it out on Shabbat.

Chapter Six continues that discussion by enumerating articles of clothing, accessories, and other items that people customarily carry upon their persons and the manner in which one may wear them on Shabbat.

Chapter Seven includes the basis for the entire tractate. In it, the legal force of the various Shabbat prohibitions is explained, along with the list of the prohibited labors.

Chapter Eight and subsequent chapters provide details about carrying out on Shabbat, including discussions of the measures that determine liability for carrying out various substances and materials.

Chapter Nine continues that discussion to a certain extent. However, most of the chapter is devoted to topics related conceptually, albeit not directly, to the rest of tractate *Shabbat*.

Chapter Ten concludes the treatment of measures that determine liability for carrying out.

Chapter Eleven includes an exposition of the general principles of carrying out and two closely related activities, throwing and extending.

Chapter Twelve elucidates the prohibited labors of building, plowing, and writing.

Chapter Thirteen deals with the prohibited labors of weaving and sewing, as well as the other prohibited labors involved in the production of garments. In it, the prohibited labor of hunting is also discussed.

Chapter Fourteen concludes the discussion of the creative labor of hunting and discusses additional actions prohibited by rabbinic decree.

Chapter Fifteen discusses the prohibited labors of tying and untying knots, as well as similar actions that are permitted.

Chapter Sixteen provides an explanation of what is permitted and what is prohibited to do in the case of a fire on Shabbat: Which objects may be carried out and which may be moved, and who can be enlisted to assist in these rescue activities? This discussion reaches general conclusions.

Chapter Seventeen contains the primary analysis of the various categories of set-aside [*muktze*] objects.

Chapter Eighteen deals with an issue that emerges from the analysis of the principle of set-aside. It elucidates actions that superficially resemble prohibited labors but

are nonetheless permitted due to necessity engendered by the arrival of guests, the suffering of living creatures, or considerations of human health.

Chapter Nineteen presents a comprehensive discussion of one specific example of a prohibited labor permitted on Shabbat, circumcision. In the process, it discusses all of the *halakhot* of circumcision.

Chapter Twenty addresses prohibitions due to deference to Shabbat or due to rabbinic decree, as well as actions that resemble prohibited labor but are permitted because they are essential or significant. In this chapter, certain actions similar to the prohibited labor of building are discussed, along with some prohibitions against moving certain objects.

Chapter Twenty-one deals mainly with objects which may be moved on Shabbat.

Chapter Twenty-two discusses actions that are not explicitly delineated as prohibited labor; some are subcategories of primary categories of prohibited labor, and some are permitted on Shabbat.

Chapter Twenty-three clarifies *halakhot* associated with the prohibition against conducting commercial transactions on Shabbat and defines their parameters.

Chapter Twenty-four deals with the principles governing the requirement to prevent one's animals from engaging in prohibited labor, along with several diverse *halakhot* related to actions that the Sages permitted on Shabbat.

NOTES

1. See tractate *Shabbat* 113a.
2. See tractate *Hagiga* 10a.
3. Tractate *Beitza* 13b.
4. Tractate *Shabbat* 105b.
5. Exodus 20:8.

Introduction to Perek IX

This chapter is comprised mostly of *halakhot* that are not directly related to the laws of Shabbat. They are placed together because of their conceptual similarities and common structure. The *halakhot* are all presented as answers to the fundamental question: How do we know...? In response to this question, proof texts from a variety of biblical sources are advanced. In this way, these *halakhot* are linked to the final mishna of the previous chapter, which shares a similar format.

This mode of presentation involves sequentially arranging *halakhot* based on superficial, structural parallels rather than by a common theme or topic. This method of organization results in *halakhot* that are not at all related in terms of subject matter being strung together into a single series because of their verbal structure.

The decision to arrange the text in this way is attributable to the fact that, for many centuries, the Oral Torah was transmitted from mouth to mouth, from master to disciple. Even after the redaction of the Mishna, Torah scholars continued to study it by heart. It was therefore necessary to provide mnemonic devices and other helpful tools to facilitate the memorization of the study material, and these methods are frequently integrated into the text of the Mishna and the Talmud.

In addition to the organization of material based on structure and form, the *asmakhta* is another technique that served as an aid to memorization. *Asmakhta* means the attribution of a *halakha* from the Oral Law to verses in the Written Law, despite of the fact that in many instances those verses are not, in fact, the basis of that *halakha*. In addition to being an aid to memorization, this use of texts had another purpose, namely, to reinforce the bond and relationship between the Written Torah and the Oral Torah, so that they not become separate entities.

Indeed, the major commentaries often disagree as to whether the Sages viewed these biblical verses as proof texts, rigorous proofs, or merely suggestive hints. Certainly, the verses taken from the Prophets and Writings should be understood as mere suggestive hints and are no more than aids to memory.

מתני' אמר רבי עקיבא: מניין לַעֲבוֹדָה זָרָה שֶׁמִּטְמָאָה בְּמִשְׁאֵל בְּנֶדֶה – שֶׁנֶּאֱמַר: "תֹּרֵם כְּמוֹ דָּוָה צֵא תֹאמַר לוֹ", מִה נֶדֶה מִטְמָאָה בְּמִשְׁאֵל – אִף עֲבוֹדָה זָרָה מִטְמָאָה בְּמִשְׁאֵל.

גמ' תנן הָתָם: מִי שֶׁהָיָה בֵּיתוֹ סְמוּךְ לַעֲבוֹדָה זָרָה וְנָפַל – אִסּוּר לְבָנוּתָהּ. בֵּיצֵד יַעֲשֶׂה – כּוּנִים לְתוֹךְ שְׁלוֹ אֲרָבַע אַמּוֹת וּבֹנֶה.

MISHNA Rabbi Akiva said: From where is it derived that idolatry, e.g., a statue of a deity, transmits impurityⁿ imparted by carryingⁿ even when the person who carries it does not come into contact with it, just as a menstruating woman does? As it is stated: "And you will defile the silver overlays of your statues, and the golden plating of your idols, you will cast them away as you would a menstruating woman [dava], you will tell it, get out" (Isaiah 30:22). Just as a menstruating woman transmits impurity imparted by carrying, so too, idolatry transmits impurity imparted by carrying.

GEMARA Since the *halakhot* of idolatry and the impurity it causes are beyond the scope of tractate *Shabbat*, the fundamentals of this *halakha* are cited from tractate *Avoda Zara*. We learned in a mishna there: One whose house was adjacent to a house of idolatry,^h sharing a common wall, and the dividing wall fell, it is prohibited to rebuild it as he would thereby have built a wall for idol worship. What should one do? He moves four cubits into his own land and builds the wall there.

הָיָה שְׁלוֹ וְשֶׁל עֲבוֹדָה זָרָה – מִדּוֹן מַחֲצָה עַל מַחֲצָה. אֲבָנָיו וְעֵצָיו וְעִפְרָיו מִטְמָאִים כְּשֶׁרֶץ. שֶׁנֶּאֱמַר: "שִׁקֵּץ תִּשְׁקָצְנוּ וְגו'". רַבִּי עֲקִיבָא אוֹמֵר: כְּנֶדֶה, שֶׁנֶּאֱמַר: "תֹּרֵם כְּמוֹ דָּוָה" מִה נֶדֶה מִטְמָאָה בְּמִשְׁאֵל – אִף עֲבוֹדָה זָרָה מִטְמָאָה בְּמִשְׁאֵל. אָמַר רַבִּי: 'תֹּרֵם' דָּאֻמַּר קָרָא – נִבְרִינְהוּ מִיֵּנָּה כְּזֶה, 'צֵא תֹאמַר לוֹ' – הִכְנִים אֶל תֹּאמַר לוֹ.

If the wall stood upon ground that belonged to him and to the house of idolatry,^h the area is calculated as half and half as far as moving into his property before rebuilding the wall, and one may build the wall four cubits from the middle of the wall. Its stones and its wood and its dust from the house of idolatry transmit impurity like creeping animals, and by rabbinic decree, one who touches them becomes impure like one who touches a creeping animal, as it is stated: "And you shall not bring an abomination into your house and become banned like it, you shall utterly detest it [shaketz teshaketzenu] and you shall utterly abhor it, for it is a banned object" (Deuteronomy 7:26). *Shaketz* is a term used with regard to creeping animals. Rabbi Akiva says: Idolatry transmits impurity like a menstruating woman, as it is stated: "You will cast them away as you would a menstruating woman [dava]" (Isaiah 30:22). Just as a menstruating woman transmits impurity imparted by carrying, as one who moves a menstruating woman without touching her becomes impure, so too, idolatry transmits impurity imparted by carrying. Rabba said in explanation of that which the verse said: "You will cast them away": Make them foreign to you like a stranger. The end of the same verse: "You will tell it, get out"ⁿ means that under no circumstances can you say to it, come in.

NOTES

You will tell it get out לו' – צא תאמר לו': There are several ways to interpret the double language used here of get out and under no circumstances say to it come in. One interpretation is that first, idolatry worshipped by a Jew must be banished; and second, there is no way to rid it of its idolatrous status (Rav Yehuda Bakhrahk). An alterna-

tive interpretation, from the Jerusalem Talmud, suggests that idolatry does not transmit impurity through its limbs because one can only say get out to something that is completely inside. Another explanation interprets the term get out [tze] in the sense of excrement [tzoa]. Idolatry should be detested and abhorred.

NOTES

מניין – From where is it derived that idolatry transmits impurity – לַעֲבוֹדָה זָרָה שֶׁמִּטְמָאָה: The Torah does not state explicitly that idolatry transmits impurity. However, the Sages issued a decree of impurity with regard to idolatry to underscore the fact that it is abhorrent and an abomination. The Sages drew support for their decree from verses where idolatry is described in derogatory terms with allusions to impurity.

טמאה במשא – Impurity imparted by carrying and through contact – זבמגע: Impurity in the Torah typically refers to impurity imparted through contact, i.e., when a person or object comes into direct contact with a source of ritual impurity. If there is an object interposing between the person and the source of impurity, the interposing object is susceptible to become impure but, as a rule, does not transmit the impurity to the person. However, there are some sources of ritual impurity, such as an animal carcass, a *zav* and a menstruating woman, where the impurity is transmitted by carrying the source of impurity even if there is no direct contact.

HALAKHA

One whose house was adjacent to a house of idolatry – מִי שֶׁהָיָה בֵּיתוֹ סְמוּךְ לַעֲבוֹדָה זָרָה: When a house situated next to a temple of idolatry collapses, it is prohibited to rebuild it. If a person wants to rebuild the house, he must move it at least four cubits into his property. He should fill the empty space with thorns or rubbish to prevent the house of idolatry from assuming control of that area. That is the conclusion reached in tractate *Avoda Zara* (Rambam *Sefer HaMadda*, *Hilkhot Avoda Zara* 8:5; *Shulhan Arukh*, *Yoreh De'a* 143:1).

HALAKHA

הָיָה שְׁלוֹ וְשֶׁל – That belonged to him and to the house of idolatry – עֲבוֹדָה זָרָה: A Jew may derive benefit from his half of the wall shared with a house of idolatry, but he may not derive benefit from the half that belongs to idolatry (Rambam *Sefer HaMadda*, *Hilkhot Avoda Zara* 8:5; *Shulhan Arukh*, *Yoreh De'a* 143:1).

Very heavy stone – אֶבֶן מְסָמָא: According to the commentaries, the source of this term is from the verse: “And a stone [even] was brought, and laid [vesumat] upon the mouth of the den” (Daniel 6:18). There are different opinions as to the exact nature of this method of transmitting impurity. According to Rashi’s explanation, the stone itself does not weigh on the vessels beneath it. However, there is still a dispute involving whether impurity is transmitted only if the stone touches at least one vessel, or whether it is transmitted even if there is no contact at all (*Me’iri*). According to all opinions, the impurity is transmitted only when the impure individual is sitting on the stone. Although the legal status of the stone is unlike that of a seat upon which a *zav* sits, and it cannot become ritually impure, impurity is transmitted from the person sitting atop the stone to the vessels beneath it.

Idolatry and an animal carcass – עֲבוּדָה וְזֶה וְנִבְלָה: The discussion of this matter in the Jerusalem Talmud is from a different perspective. With regard to idolatry, it is written: “You shall utterly abhor it [*taev teta’avenu*].” That language draws a parallel between idolatry and both creeping animals and animal carcasses, each of which is referred to as an abomination [*toeva*]. That conclusion may also be found in the Babylonian Talmud in the statement: Yes, it is indeed so.

A menstruating woman does not transmit impurity through limbs – נִדָּה אֵינָה לְאַבְרִין: Rashi explains that limbs severed from a menstruating woman do not impart impurity. Rambam writes that a menstruating woman who inserts her finger into the space of an earthenware vessel does not render the vessel impure, even though an earthenware vessel typically becomes impure when a primary source of impurity enters its airspace. This is because a menstruating woman does not transmit impurity through her limbs. The same is true with regard to idolatry, which only transmits impurity when it is completely inserted into a utensil. The opinion in the Jerusalem Talmud seems to concur with this ruling.

To its accessories – לְמִשְׁמָשֶׁיהָ: Idolatry refers to any object worshipped as a deity. The accessories of idolatry are vessels and other objects that facilitate worship but are not themselves objects of worship.

HALAKHA

A menstruating woman does not transmit impurity through limbs – נִדָּה אֵינָה לְאַבְרִין: If a *zav* or a menstruating woman inserted a limb into the airspace of an earthenware vessel, it does not become impure because a *zav* or a menstruating woman does not transmit impurity through their limbs. All the more so, a severed limb of a menstruating woman does not transmit impurity, as per the interpretation of the Rambam (*Kesef Mishne*; see *Ra’avad*; Rambam *Sefer Tahara*, *Hilkhot Metamei Mishkav UMoshav* 8:4).

Idolatry does not transmit impurity through limbs – עֲבוּדָה וְזֶה אֵינָה לְאַבְרִין: A fragment severed from idolatry does not transmit impurity because idolatry only transmits impurity when whole. This *halakha* is in accordance with the lenient opinion of the Rabbis, because idolatry is impure by rabbinic law (Rambam *Sefer Tahara*, *Hilkhot She’ar Avot HaTumot* 6:3).

וְאָמַר רַבָּה: בְּמִשָּׁא – דְּכוּלִּי עֲלָמָא לֹא פְלִיגִי דְּמִטְמָאָה, דְּהָא אֲתִקְשׁ לְנִדָּה. כִּי פְלִיגִי – בְּאַבְרִין מְסָמָא; רַבִּי עֲקִיבָא סָבַר: כְּנִדָּה, מַה נִּדָּה מְטַמְּאָה בְּאַבְרִין מְסָמָא – אִף עֲבוּדָה וְזֶה מְטַמְּאָה בְּאַבְרִין מְסָמָא. וְרַבִּנּוּ סָבְרִי: כְּשֶׁרָץ, מַה שֶּׁרָץ לֹא מְטַמְּאָה בְּאַבְרִין מְסָמָא – אִף עֲבוּדָה וְזֶה לֹא מְטַמְּאָה בְּאַבְרִין מְסָמָא.

וְרַבִּי עֲקִיבָא, לְמַאי הִלְכְּתָא אִיתְקַשׁ לְשֶׁרָץ? לְמִשְׁמָשֶׁיהָ. וְרַבִּנּוּ, לְמַאי הִלְכְּתָא אִיתְקַשׁ לְנִדָּה? לְמִשָּׁא. וְלִדְבָרָא דְּרַחֲמֵנָא לְנִבְלָה! אֵין הָכִי נִמִּי. אֶלָּא: מַה נִּדָּה אֵינָה לְאַבְרִין – אִף עֲבוּדָה וְזֶה אֵינָה לְאַבְרִין. וְאֶלָּא הָא דְּבִיעֵי רַב חֲמָא בְּרַגְיָא: עֲבוּדָה וְזֶה יִשְׁנָה לְאַבְרִין, אוֹ אֵינָה לְאַבְרִין? תִּפְשׁוּט לִיה מְהֵרָא, דְּלִרְבִּנּוּ אֵינָה לְאַבְרִין! רַב חֲמָא בְּרַגְיָא אֶלִּיבָא דְּרַבִּי עֲקִיבָא בְּעֵי לָהּ.

וְרַבִּי אֶלְעָזָר אָמַר: בְּאַבְרִין מְסָמָא – דְּכוּלִּי עֲלָמָא לֹא פְלִיגִי דְּלֹא מְטַמְּאָה, כִּי פְלִיגִי – בְּמִשָּׁא. רַבִּי עֲקִיבָא סָבַר: כְּנִדָּה, מַה נִּדָּה מְטַמְּאָה בְּמִשָּׁא – אִף עֲבוּדָה וְזֶה מְטַמְּאָה בְּמִשָּׁא, וְרַבִּנּוּ סָבְרִי: כְּשֶׁרָץ, מַה שֶּׁרָץ לֹא מְטַמְּאָה בְּמִשָּׁא – אִף עֲבוּדָה וְזֶה לֹא מְטַמְּאָה בְּמִשָּׁא. וְרַבִּי עֲקִיבָא, לְמַאי הִלְכְּתָא אִיתְקַשׁ לְשֶׁרָץ? לְמִשְׁמָשֶׁיהָ. וְרַבִּנּוּ, לְמַאי הִלְכְּתָא אִיתְקַשׁ לְנִדָּה? מַה נִּדָּה אֵינָה לְאַבְרִין – אִף עֲבוּדָה וְזֶה אֵינָה לְאַבְרִין.

And to the essence of the dispute, Rabba said: With regard to impurity imparted by carrying, everyone agrees that idol worship transmits impurity, as it is juxtaposed to a menstruating woman in the verse. Where they argue, it is with regard to the *halakha* of a very heavy stone.^N There is a special law with regard to the ritual impurity of a *zav* and a menstruating woman. If they sit on an object, even if it is an object that cannot become ritually impure, and beneath that object is a vessel, even though the weight of the *zav* and the menstruating woman has no effect on the vessel, it becomes ritually impure. Rabbi Akiva holds that the impurity of idolatry is like the impurity of a menstruating woman in all respects; just as a menstruating woman transmits impurity via a very heavy stone, so too, idolatry transmits impurity via a very heavy stone. And the Rabbis hold that in this regard, the impurity of idolatry is like the impurity of a creeping animal; just as a creeping animal does not transmit impurity via a very heavy stone, so too, idolatry does not transmit impurity via a very heavy stone.

The Gemara asks: And according to Rabbi Akiva, who holds that the impurity of idolatry is similar to that of a menstruating woman in all respects, for what *halakha* was it juxtaposed to a creeping animal? The Gemara explains: In his opinion, it was not stated in reference to idolatry itself, but rather to its accessories, objects used for the purposes of idolatry. The Gemara asks further: And according to the Rabbis, for what *halakha* was it juxtaposed to a menstruating woman? To teach that it transmits impurity through carrying. And instead of juxtaposing idolatry to both a menstruating woman and to creeping animals, let the Torah juxtapose it to an animal carcass,^N which transmits impurity through carrying and does not transmit impurity via a very heavy stone, since according to the Rabbis the law is the same for idolatry. The Gemara answers: Yes, it is indeed so. In that sense, juxtaposition to an animal carcass would suffice. However, the juxtaposition to a menstruating woman teaches: Just as a menstruating woman does not transmit impurity through limbs,^{NH} as if the limb of a menstruating woman is supported by a vessel, the vessel does not become ritually impure (*Ra’avad*), so too, idolatry does not transmit impurity through limbs,^H as a severed part of an idol does not transmit impurity. The Gemara is puzzled by this: But that which Rav Hama bar Guria raised as a dilemma: Does idolatry have the capacity to transmit impurity through limbs or does it not have the capacity to transmit impurity through limbs? Resolve the dilemma from this, as according to the opinion of the Rabbis, it does not transmit impurity through limbs. And the Gemara replies: Although that is so, Rav Hama bar Guria raised the dilemma in accordance with the opinion of Rabbi Akiva and the dilemma is unresolved.

And in another approach to this dispute, Rabbi Elazar said: With regard to a very heavy stone, everyone agrees that idolatry does not transmit impurity in that manner. Where they disagree is with regard to impurity imparted by carrying. Rabbi Akiva holds that the legal status of idolatry is like that of a menstruating woman: Just as a menstruating woman transmits impurity through carrying, so too, idolatry transmits impurity through carrying. And the Rabbis hold that the legal status of idolatry is like that of a creeping animal: Just as a creeping animal does not transmit impurity through carrying, so too, idolatry does not transmit impurity through carrying. The Gemara asks: And according to Rabbi Akiva’s opinion, with regard to what *halakha* was idolatry juxtaposed to a creeping animal? The Gemara answers: With regard to the *halakha* that its accessories^N do not transmit impurity through carrying. The Gemara asks: And according to the Rabbis, with regard to what *halakha* was idolatry juxtaposed to a menstruating woman? The Gemara answers: Just as a menstruating woman does not transmit impurity through her limbs, so too, idolatry does not transmit impurity through its limbs.

ורבי עקיבא, למאי הלכתא איתקש
לנדה – למשא לוקשיה לנבלה! אין
הכי נמי, אלא: מה נדה אינה לאברין –
אף עבודה זרה אינה לאברין. אלא
הא דבעי רב חמא בר גוריא: עבודה
זרה ישנה לאברים או אינה לאברים?
תפשוט ליה מהא בין לרבנן בין לרבי
עקיבא דאינה לאברים! רב חמא בר
גוריא כרבה מתני, ובעי לה אליבא
דרבי עקיבא.

מיתבי: עבודה זרה כשרץ, ומשמשיה
כשרץ. רבי עקיבא אומר: עבודה זרה
כנדה, ומשמשיה כשרץ. בשלמא לרבי
אלעזר – נחא, אלא לרבה קשיא!
אמר לך רבה: מי אלימא ממתניתין,
דקתני "עציו ואבניו ועפרו מטמאין
כשרץ" ואוקימנא: מאי כשרץ – דלא
מטמא באבן מסמא. הכא נמי: דלא
מטמא באבן מסמא.

מיתבי: גוי וגויה, עבודה זרה
ומשמשיה – הן ולא היסטן, רבי
עקיבא אומר: הן והיסטן. בשלמא לרבי
אלעזר – נחא, אלא לרבה קשיא! אמר
לך רבה: וליטעמך גוי וגויה נמי הן ולא
היסטן? והתנא: "דבר אל בני ישראל
וגו' בני ישראל מטמאין בזיבה, ואין
גוים מטמאין בזיבה. אבל גויר עליהן
שייחזו כבבין לכל דבריהן!"

And according to the opinion of Rabbi Akiva, with regard to what *halakha* was idolatry juxtaposed to a menstruating woman? If it was to teach the *halakha* of impurity imparted by carrying, let it be juxtaposed to an animal carcass and not to a menstruating woman and creeping animals. The Gemara answers: **Yes, it is indeed so. However, the juxtaposition to a menstruating woman teaches: Just as a menstruating woman does not transmit impurity through her limbs, as a menstruating woman who leans on an object by a single limb does not transmit impurity imparted by carrying (Ra'avad), so too, an idol does not transmit impurity through its limbs, and a section of an idol does not transmit impurity.** The Gemara asks: **But that which Rav Hama bar Guria raised as a dilemma: Does idolatry have the capacity to transmit impurity through limbs or does it not have the capacity to transmit impurity through its limbs; resolve the dilemma from this, as according to both the Rabbis and Rabbi Akiva, it does not transmit impurity through limbs.** According to this explanation, Rabbi Akiva agrees with the Rabbis. The Gemara rejects this: **Rav Hama bar Guria taught in accordance with the explanation of Rabba and raised the dilemma in accordance with the opinion of Rabbi Akiva.**

The Gemara now clarifies the explanations of Rabba and Rabbi Elazar in light of other sources. The Gemara **raises an objection** from that which was taught in a *baraita*: The ritual impurity of idolatry is like that of a creeping animal, and the ritual impurity of its accessories⁴ is like that of a creeping animal. Rabbi Akiva says: The ritual impurity of idolatry is like that of a menstruating woman, and the ritual impurity of its accessories is like that of a creeping animal. Granted, according to the opinion of Rabbi Elazar, it works out well. However, according to the opinion of Rabba, it is difficult. The dispute between Rabbi Akiva and the Rabbis in this *baraita* is whether idolatry is likened to a creeping animal and does not transmit impurity imparted by carrying or whether it is likened to a menstruating woman and it does transmit impurity imparted by carrying. According to Rabba, the Rabbis agree that it does transmit impurity imparted by carrying. Rabba could have said to you: Is the proof from this *baraita* stronger than the *mishna*^N in tractate *Avoda Zara*, which taught: Its wood and stones and dirt transmit impurity like a creeping animal? With regard to that *mishna* we established: What is the meaning of like a creeping animal? It means that it is like a creeping animal in the sense that it does not transmit impurity by means of a very heavy stone. Here too, the analogy to a creeping animal in the *baraita* is in the sense that it does not transmit impurity via a very heavy stone.

The Gemara raises an objection from what we learned: A gentile man and a gentile woman, with regard to whom the Rabbis issued a decree that they transmit impurity like a *zav*, idolatry and its accessories, all transmit impurity. They transmit impurity, and not their movement, i.e., they do not transmit impurity to one who moves them. Rabbi Akiva says: Both they and their movement transmit impurity. Granted, according to the explanation of Rabbi Elazar, this works out well; however, according to the explanation of Rabba, it is difficult. Rabba could have said to you: And according to your reasoning, with regard to a gentile man and a gentile woman as well, do they transmit impurity and their movement does not transmit impurity? Wasn't it taught in a *baraita* with regard to the verse: "Speak to the children of Israel and say to them, when any man has an emission from his body, his emission is impure" (Leviticus 15:2), by Torah law, only the children of Israel become impure through the emission of a *zav*, and gentiles do not become impure through the emission of a *zav*?^N But the Sages decreed that they should be considered like a *zav* for all their halakhic matters. Since gentiles have the legal status of a *zav*, they should transmit impurity through carrying. Therefore, the *baraita* that states that gentiles do not transmit impurity through carrying is corrupted and must be emended.

HALAKHA

And its accessories – ומשמשיה: Accessories of idolatry transmit impurity through contact and by means of entering the airspace of an earthenware vessel. The same is true of a creeping animal. This is in accordance with the more lenient approach of the Rabbis (Rambam *Sefer Tahara*, *Hilkhot She'ar Avot HaTumot* 6:5).

NOTES

Stronger than the mishna – אלימא ממתניתין: The language used in the *mishna* is usually more concise and clearer than the language of the *baraitot*. Therefore, when a phrase that appears in a *mishna* is interpreted metaphorically, the *baraita* may be interpreted that way as well. In our case, the one who raised the objection based it on the analogy to creeping animals mentioned in the *halakha* of the accessories of idolatry, since everyone agrees that accessories do not transmit impurity through carrying (Ramban).

The impurity of the emission of a *zav* in men – טומאת זיבה בגברים: By Torah law, ritual impurity exists only in Jews. The decree issued by the Sages to accord gentiles the impurity of a *zav* was designed to distance Jews from gentiles, as the Sages said: So that a Jewish child will not grow accustomed to engage in sodomy with a gentile child. Once the Sages accorded gentiles that impurity, all the Torah standards of that status were strictly applied.

NOTES

הַזָּב בְּכַף מֵאֻנִּים – The *zav* on one pan of a scale – The medieval commentaries wondered about this citation from the mishna. According to the *Tosefta*, the mishna states that both in the case where the *zav* tipped the scales and in the case where the food or drink tipped the scales, the food and drink become impure. Based on that interpretation, the statement that they remain ritually pure does not mean that the food and drink are ritually pure, it means that their impurity is on a lower level (Rashi; and see *Tosafot* and the Ramban). Rashi maintains that when the food and drink tip the scales, they are actually pure; that is because they do not fall into the category of an object upon which a *zav* sat or lay, nor are they being carried by a *zav*. Apparently, the Gemara does not enter into an extensive analysis of the matter because it is peripheral to the discussion. The Gemara seeks to prove that tipping the scale is tantamount to moving the impurity, and even an inanimate object can accomplish that.

HALAKHA

הַזָּב בְּכַף מֵאֻנִּים – In a case where a *zav* was on one pan of a scale and a vessel designated for sitting or lying was on the other pan, if the *zav* tips the scale, the vessel becomes impure as though it were touched by the *zav*. If the vessel tips the scale, it becomes a primary source of ritual impurity, like any vessel designated for sitting and lying upon which a *zav* sits or lies (Rambam *Sefer Tahara, Hilkhhot Metamei Mishkav UMoshav* 8:6).

אֵלָּא רַבָּה מְתַרְץ לְטַעְמֵיהֶּ: גּוֹי וְגוֹיָה הֵן וְהִסְטֵן וְאֵבֶן מִסְמָא שְׁלֵהֶן, עֲבוּדָה זָרָה הִיא וְהִסְטָה – אֲבָל לֹא אֵבֶן מִסְמָא שְׁלֵהֶן. רַבִּי עֲקִיבָא אָמַר: עֲבוּדָה זָרָה הִיא וְהִסְטָה וְאֵבֶן מִסְמָא שְׁלֵהֶן, וְרַבִּי אֱלֵעָזָר מְתַרְץ לְטַעְמֵיהֶּ: גּוֹי וְגוֹיָה – הֵן וְהִסְטֵן וְאֵבֶן מִסְמָא שְׁלֵהֶן, עֲבוּדָה זָרָה – הִיא וְלֹא הִסְטָה, וְרַבִּי עֲקִיבָא אָמַר: עֲבוּדָה זָרָה הִיא וְהִסְטָה.

מְתַקֵּיף לָהּ רַב אֲשִׁי: מֵאִי "הֵן"? אֵלָּא אָמַר רַב אֲשִׁי: הִכִּי קָאָמַר: גּוֹי וְגוֹיָה, בֵּין הֵן שְׁהִסְטוּ אֶת אֲחֵרִים, וּבֵין אֲחֵרִים שְׁהִסְטוּ אוֹתָן – טַמְאִים. עֲבוּדָה זָרָה שְׁהִסְטָה אֲחֵרִים – טְהוֹרִין, אֲחֵרִים שְׁהִסְטוּ אוֹתָהּ – טַמְאִים. מִשְׁמָשִׁיָּהּ, בֵּין הֵן שְׁהִסְטוּ אֶת אֲחֵרִים, וּבֵין אֲחֵרִים שְׁהִסְטוּ אוֹתָן – טְהוֹרִים. רַבִּי עֲקִיבָא אָמַר: גּוֹי וְגוֹיָה וְעֲבוּדָה זָרָה, בֵּין הֵן שְׁהִסְטוּ אֶת אֲחֵרִים וּבֵין אֲחֵרִים שְׁהִסְטוּ אוֹתָן – טַמְאִים. מִשְׁמָשִׁיָּהּ, בֵּין הֵן שְׁהִסְטוּ אֲחֵרִים וּבֵין אֲחֵרִים שְׁהִסְטוּ אוֹתָן – טְהוֹרִין.

עֲבוּדָה זָרָה, בְּשִׁלְמָא אֲחֵרִים שְׁהִסְטוּ אוֹתָהּ – מִשְׁכַּחַת לָהּ, אֵלָּא הִיא שְׁהִסְטָה אֶת אֲחֵרִים הִכִּי מִשְׁכַּחַת לָהּ? אָמַר רַמִּי בְרִיה דְּרַב יִיבָא, בְּדִתְנִן: הַזָּב בְּכַף מֵאֻנִּים וְאוֹכְלִין וּמִשְׁקִין בְּכַף שְׁנִיָּה, כָּרַע הַזָּב – טַמְאִין.

Rather, Rabba explains and adds to the *baraita* in accordance with his reasoning: A gentile man and a gentile woman transmit impurity, they and their movement and their very heavy stone. And idolatry transmits impurity, it and its movement but not its very heavy stone. Rabbi Akiva says: Idolatry transmits impurity, it and its movement and its very heavy stone. And Rabbi Elazar explains and adds to the *baraita* in accordance with his reasoning as follows: A gentile man and a gentile woman transmit impurity, they and their movement and their very heavy stone. Idolatry transmits impurity, it and not its movement. And Rabbi Akiva says: Idolatry transmits impurity, it and its movement.

Rav Ashi strongly objects to this explanation: According to this explanation, what is the meaning of the word **they** in the context of this *baraita*? It would have been sufficient to say that their movement transmits impurity. The fact that the gentiles themselves are ritually impure is obvious. Apparently, the word **they** is emphasized in order to teach an additional *halakha*. Rather, Rav Ashi said, this is what the *baraita* is saying: With regard to a gentile man and a gentile woman, whether they moved others or others moved them, the others are ritually impure. The impurity of a gentile is like that of a *zav*, which is unique in that anything that a *zav* moves becomes impure even if he did not touch it directly. Idolatry that moved others, the others remain ritually pure; however, others who moved it are ritually impure. With regard to its accessories, whether they moved others or others moved them, the others remain ritually pure. Rabbi Akiva says: A gentile man and a gentile woman and idolatry, whether they moved others or others moved them, the others are ritually impure. Its accessories, whether they moved others or others moved them, the others remain ritually pure. According to this explanation, both the word **they** and the word **movement**, both of which appear in the *baraita*, are significant.

Rav Ashi's explanation explains the *baraita*, but the Gemara questions the matter itself. With regard to idolatry, granted, a case where others moved it can be easily found. However, a case where the idolatry moved others, under what circumstances can it be found? How can an idol move another object? Rami, son of Rav Yeiva, said, a case like that is possible, as we learned in a mishna: In a case where the *zav* sat on one pan of a balance scale,^{NH} and food and drinks were on the second pan, if the *zav* tipped the scales, the food and drinks on the other pan are ritually impure because the *zav* moved them.

Perek IX

Daf 83 Amud b

HALAKHA

כָּל הַטְּמְאוֹת הַמְּסִיטוֹת טְהוֹרוֹת, חוּץ מִהִסְטוֹ שֶׁל זָב שֶׁלֹּא מְצִינוּ לוֹ חֵבֶר בְּכָל הַתּוֹרָה כּוּלָּה – לִימָא דְלֹא כְרַבִּי עֲקִיבָא, דְּאִי כְרַבִּי עֲקִיבָא אֵיכָא נִמְי עֲבוּדָה זָרָה! אֲפִילוּ תִימָא רַבִּי עֲקִיבָא, תִּנְא זָב וְכָל דְּדָמִי לֵיהּ.

כָּרְעוּ הֵן – טְהוֹרִין. כִּמְאֵן אֵלָּא הָא דִּתְנִינָא: כָּל הַטְּמְאוֹת הַמְּסִיטוֹת טְהוֹרוֹת, חוּץ מִהִסְטוֹ שֶׁל זָב שֶׁלֹּא מְצִינוּ לוֹ חֵבֶר בְּכָל הַתּוֹרָה כּוּלָּה – לִימָא דְלֹא כְרַבִּי עֲקִיבָא, דְּאִי כְרַבִּי עֲקִיבָא אֵיכָא נִמְי עֲבוּדָה זָרָה! אֲפִילוּ תִימָא רַבִּי עֲקִיבָא, תִּנְא זָב וְכָל דְּדָמִי לֵיהּ.

Even an inanimate object can move a source of impurity in that way. And if the food and drink tipped the scales, they remain ritually pure. The Gemara asks: In accordance with whose opinion is that which was taught in a *baraita*: All impure items that move other objects^H remain pure, meaning that an object does not become impure if moved by a source of impurity, except for movement by a *zav*, which has no counterpart in the whole Torah in its entirety? Let us say that this is not in accordance with the opinion of Rabbi Akiva, as if it were in accordance with the opinion of Rabbi Akiva, there is also the case of idolatry. In his opinion, idolatry also transmits impurity to an object by moving it. The Gemara answers: Even if you say that the *baraita* is in accordance with the opinion of Rabbi Akiva, teach: *Zav* and everything similar to it. According to Rabbi Akiva, just as a menstruating woman falls into that category, so too does an idol.

Does idolatry transmit impurity through limbs or does it not transmit impurity through limbs – עבודה זרה ישנה לאברים, או אינה לאברים? Idolatry that one broke, or that broke on its own, no longer has the legal status of idolatry. It is no longer prohibited to derive benefit from its shards, and it is not ritually impure. Rav Hama's dilemma is whether or not idolatry that was disassembled has the legal status of idolatry that was broken.

Baal Berit – בעל ברית: Baal Zevuv seems to be the source for the *halakha* that even a minuscule idol is prohibited. In the Jerusalem Talmud, apparently, there was a tradition with regard to the size and shape of Baal Berit, independent of the tradition of Baal Zevuv.

בעי רב חמא בר גוריא: עבודה זרה ישנה לאברים, או אינה לאברים? היכא דהדיט יכול להחזירה – לא תיבעי לך, דכמאן דמתברא דמי, כי תיבעי לך – היכא דאין הדיט יכול להחזירה, מאי? בין דאין הדיט יכול להחזירה – כמאן דמתברא דמי, או דילמא: הא לא מחסרה! ואיכא דבעי לה להך גיסא: היכא דאין הדיט יכול להחזירה – לא תיבעי לך, דכמאן דמתברא דמי, כי תיבעי לך – היכא דהדיט יכול להחזירה, מאי? בין דהדיט יכול להחזירה – כמאן דמתברא דמי, או דילמא: השתא מיהא קשלפה ושריא? תיקו.

The dilemma that was cited incidental to an earlier discussion is examined here in depth. Rav Hama bar Guria raised a dilemma: Does idolatry have the capacity to transmit impurity through limbs or does it not have the capacity to transmit impurity through limbs?^{NH} The Gemara narrows the parameters of the dilemma. In a situation where a common unskilled person can restore it to its original form, do not raise the dilemma, as in that case it is certainly considered to be attached and is not considered broken. The case where you could raise the dilemma is where a common unskilled person cannot restore it to its original form. What is the ruling in that case? The two sides of the dilemma are: Do we say that since a common unskilled person cannot restore it, it is considered broken? Or perhaps we say that it is not lacking anything? Idolatry can only be nullified by breaking it in a case where, as a result, it is incomplete. And some raise this dilemma in another direction based on a different assumption: In a situation where a common unskilled person cannot restore it to its original form, do not raise the dilemma, as in that case it is certainly considered to be broken. When you could raise the dilemma is in a situation where a common unskilled person can restore it to its original form. What is the ruling in that case? The two sides of the dilemma are: Do we say that since a common unskilled person can restore it, it is considered attached? Or perhaps we say that at present, it is in pieces and permitted? No resolution was found for either version of this dilemma. Therefore, let it stand unresolved.

בעי רב אחדבוי בר אמי: עבודה זרה פחותה מכוית, מהו? מתקין לה רב יוסף: למאי? אילימא לענין איסורא – לא יהא אלא זבוב בעל עקרון, דתניא: "וישימו (להן) בעל ברית לאלהים" (וישימו) זבוב בעל עקרון, מלמד שכל אחד ואחד עשה דמות יראתו ומניחה בתוך כיסו, בין שזכרה מוציאה מתוך כיסו ומחבקה ומנשקה. אלא לענין טומאה מאי? בין דאיתקיש לשרץ, מה שרץ בכעדשה – אף עבודה זרה נמי בכעדשה, או דילמא: הא איתקיש למת, מה מת בכזית – אף עבודה זרה בכזית?

Rav Aḥadvoi bar Ami raised a dilemma: What is the *halakha* with regard to idolatry that is less than an olive-bulk?^H Rav Yosef strongly objected to this: With regard to what use was this dilemma raised? If you say it was raised with regard to the matter of the prohibition of idolatry, let it only be like Zevuv, the Baal of Ekron, which was the size and form of a fly, as it was taught in a *baraita* with regard to the verse: "And they made Baal Berit^N into their god" (Judges 8:33). The Sages said that this is referring to Zevuv, the Baal of Ekron. It teaches that each and every person made an image of his god and placed it in his pocket. When he remembered it, he removed it from his pocket and embraced and kissed it. Apparently, even idolatry the size of a fly falls under the rubric of the prohibition of idolatry. Rather, the dilemma is: What is the *halakha* with regard to the matter of impurity? The two sides of the dilemma are as follows: Since an idol is juxtaposed to a creeping animal, just as a creeping animal transmits impurity when it is a lentil-bulk, so too, idolatry transmits impurity when it is a lentil-bulk. Or perhaps idolatry is juxtaposed to a corpse, and just as a corpse transmits impurity only when it is at least an olive-bulk, so too, idolatry transmits impurity only when it is at least an olive-bulk.

אמר רב אביא ואיתימא רבה בר עילאי: תא שמע, דתניא: עבודה זרה פחותה מכוית – אין בה טומאה כל עיקר, שנאמר: "וישליך את עפרה (אל) קבר בני העם". מה מת בכזית – אף עבודה זרה בכזית.

Rav Avya said, and some say it was Rabba bar Ulla who said: Come and hear a resolution to this dilemma from that which was taught in a *baraita*: Idolatry that is less than an olive-bulk has no impurity at all, as it is stated: "And he brought out the *ashera* from the house of the Lord, outside Jerusalem, to the brook of Kidron, and burned it at the brook of Kidron, and stamped it into powder, and cast its powder upon the graves of the common people" (11 Kings 23:6). Just as a corpse transmits impurity when it is an olive-bulk, so too, idolatry transmits impurity when it is an olive-bulk.

HALAKHA

Idol that is dismantled – עבודה זרה מפורקת: If an idol was disassembled into its component parts, with each part remaining intact, it does not transmit impurity. This remains correct even if the idol could be reassembled by a common person, in accordance with the variant reading cited in the Gemara. The ruling is lenient even though the dilemma remains unresolved, because the impurity in question is rabbinic in nature. Some commentaries explain that the entire dilemma arises only according to the opinion of Rabbi Akiva as interpreted by Rabba. Since that approach

was rejected, the ruling is lenient (Rabbeinu Ḥananel; Rambam *Sefer Tahara*, *Hilkhot She'ar Avot HaTumot* 6:4).

עבודה זרה פחותה מכוית – Idolatry that is less than an olive-bulk does not transmit impurity even if it is whole, because the Sages did not rule more stringently with regard to the impurity of idolatry than they did with regard to impurity imparted by a corpse (Rambam *Sefer Tahara*, *Hilkhot She'ar Avot HaTumot* 6:2).

טומאת – עבודה זרה דרבנן היא: The impurity of idolatry is by rabbinic law, and therefore several rulings in that regard are lenient (Rambam *Sefer Tahara*, *Hilkhot She'ar Avot HaTumot* 6:1).

From where is it derived that the ship is ritually pure – מנין לספינה שהיא טהורה: Any ship, whether made from earthenware or from wood, big or small, is pure by Torah edict (Rambam *Sefer Tahara*, *Hilkhot Kelim* 18:9).

ורבנן, למאי הלכתא איתקש לשרץ – דלא מטמא במשא, לנדה – דאינה לאברין, למת – דלא מטמא בכעדשה. אימא לחומרא: למאי הלכתא איתקש רחמנא לשרץ – לטמויי בכעדשה, לנדה – לטמויי באבן מסמא, אקשה רחמנא למת – לטמויי באהל! טומאת עבודה זרה דרבנן היא, וקולא וחומרא – לקולא מקשינן, לחומרא לא מקשינן.

מתני' מנין לספינה שהיא טהורה – שנאמר: "דרך אניה בלב ים".

גמ' פשיטא אניה בלב ים היא! הא קא משמע לן: בים, מה ים טהור – אף ספינה טהורה. תניא, חנניה אומר: נלמדה משק, מה שק מיטלטל מלא וריקן – אף כל מיטלטל מלא וריקן, לאפוקי ספינה דאינה מיטלטלת מלא וריקן.

מאי בינייהו? איבא בינייהו ספינה של חרס. מאן דאמר אניה בלב ים – הא נמי בלב ים היא, למאן דאמר כשק – הנך (היא) דכתבי גבי שק דאי מיטלטלת מלא וריקן – אין, אי לא – לא, אבל ספינה של חרס – אף על גב דאינה מיטלטלת מלא וריקן.

The Gemara now asks a general question: **And according to the Rabbis, with regard to what *halakha* was idolatry juxtaposed to a creeping animal?** The juxtaposition establishes that like a creeping animal, it does not transmit impurity through carrying. The juxtaposition to a menstruating woman establishes that like a menstruating woman, it has the capacity to transmit impurity through limbs. The juxtaposition to a corpse establishes that it does not transmit impurity when it is a lentil-bulk. The Gemara suggests: Let us say that all of these juxtapositions come to teach a stringency. With regard to what *halakha* did the Torah juxtapose idolatry to a creeping animal? It is to establish that it transmits impurity when it is a lentil-bulk. The juxtaposition of idolatry to a menstruating woman is to establish that it transmits impurity via a very heavy stone; and the Torah juxtaposed it to a corpse to establish that it transmits impurity imparted by a tent, all of which are stringencies that exist with regard to those types of impurity. The Gemara answers: **The impurity of idolatry is by rabbinic law.**^h And whenever there are two possibilities with regard to a rabbinic decree, a leniency and a stringency, we juxtapose to establish the lenient possibility, and we do not juxtapose to establish the stringent possibility.

MISHNA This is another mishna that digresses from the central topic of this tractate. It, too, is based on an allusion from the Bible. **From where is it derived that the ship is ritually pure,**^h in the sense that it cannot become impure? **As it is stated:** “The way of a ship in the midst of the sea” (Proverbs 30:19).^N

GEMARA The allusion in the mishna requires clarification. The verse appears to state the obvious. Of course a ship is in the midst of the sea. Rather, this verse teaches us an allusion that the legal status of a boat is like that of the sea. **Just as the sea is ritually pure** and cannot become impure, **so too, a boat is ritually pure** and cannot become impure. **It was taught in a *baraita* that Hananya says:**^N **This *halakha* is derived from the *halakha* of a sack,** as the impurity of wooden vessels is likened to the impurity of a sack. **Just as a sack, which can become ritually impure, is carried both full and empty, so too, any object that is carried both full and empty** can become ritually impure. This is to exclude a ship, which is not carried on land full and empty, as due to its weight it cannot be carried full.

The Gemara asks: **What is the practical difference between the two reasons?** The halakhic ruling according to both is that a ship cannot become impure. The Gemara explains: **There is a difference between them with regard to a ship made from earthenware** or from any material other than wood. According to the one who said that it is derived from the verse: “A ship in the midst of the sea,” this boat is also in the midst of the sea. However, according to the one who said that it is derived from the *halakha* of a sack, this *halakha* applies only to those materials that are written in the same verse together with sack and are likened to it. **If it is carried both full and empty, yes, it can become impure; and if it cannot be carried both full and empty, no, it cannot become impure. However, an earthenware ship can become impure even though it is not carried both full and empty.**

NOTES

דרך אניה בלב ים – The way of a ship in the midst of the sea – The verse states: “There are three things which are too wondrous for me, yea, four which I know not: The way of an eagle in the air, the way of a serpent upon a rock, the way of a ship in the midst of the sea, and the way of a man with a young woman” (Proverbs 30:18–19). If the verse is understood at face value, what is so wondrous about the way of a ship? Therefore, according to some commentaries, the Gemara derives a new *halakha* from this verse. Even if a ship is made of materials susceptible to ritual impurity, it remains pure, if it is in the midst of the sea. Other commentaries suggest that all of the wonders cited in this verse should be understood along the same lines. A snake causes death, but unlike other creeping animals, it does not transmit impurity when it dies. An eagle is a non-kosher bird but its legal status is like that of a kosher bird,

which does not transmit impurity when eaten. The way of a man with a young woman means that a seminal emission is only impure after it has been discharged by the woman, as explained later in this chapter (*Me'iri*).

שיטת חנניה והרמב"ם – The opinions of Hananya and the Rabbis – The dispute between Hananya and the Rabbis is based on the question of whether a vessel that can be carried full by a team of oxen, but not by a person, satisfies the requirement of being carried full and empty. Is such an object susceptible to impurity? According to the Rabbis, an object can only become impure if it can be carried by a person when it is full. Therefore, a Jordan ship is not susceptible to impurity. Hananya, on the other hand, holds that since the ship can be carried full by oxen, it can become impure (*Penei Yehoshua*).

אי נמי: ספינת הירדן למאן דאמר
אניה בלב ים היא – הא נמי אניה
בלב ים היא, למאן דאמר מיטלטלת
מלא וריקן – הא נמי מיטלטלת מלא
וריקן. דאמר רבי חנינא בן עקיבא:
מפני מה אמרו ספינת הירדן טמאה –
מפני שטוענים אותה ביבשה, ומורידין
אותה למים. אמר רב יהודה אמר רב:
לעולם אל ימנע אדם את עצמו מבית
המדרש ואפילו שעה אחת, שהרי כמה
שנים נשנית משנה זו בבית המדרש
ולא נתגלה טעמה עד שבא רבי חנינא
בן עקיבא ופירשה.

אמר רבי יונתן: לעולם אל ימנע אדם
את עצמו מבית המדרש ומדברי תורה
ואפילו בשעת מיתה, שנאמר: "זאת
התורה אדם כי ימות באהל" – אפילו
בשעת מיתה תהא עוסק בתורה. אמר
ריש לקיש: אין דברי תורה מתקיימין
אלא במי שמומית עצמו עליה, שנאמר:
"זאת התורה אדם כי ימות באהל".
אמר רבא:

Alternatively, there is a difference between them regarding a **Jordan ship**,⁸ which is a small boat used on the Jordan River. According to the one who said that it is derived from the verse: "A ship in the midst of the sea," this is also a ship in the midst of the sea. A river is pure like the sea and the boat will remain pure. According to the one who said that it is derived from the *halakha* of a sack, and in order to become impure it must be carried full and empty, this is also carried both full and empty, and can become ritually impure. As Rabbi Hanina ben Akavya said: For what reason did they say that a Jordan ship can become impure? Because they load it on dry land and carry it on land and then lower it into the water. It is carried on land when full. Rav Yehuda said that Rav said: One should never prevent himself from attending the study hall for even one moment, as this mishna which states that a Jordan ship can become ritually impure was taught for several years in the study hall, but its reason was not revealed until Rabbi Hanina ben Akavya came and explained it.

Following Rav's statement, the Gemara cites that which Rabbi Yonatan said: One should never prevent himself from attending the study hall or from engaging in matters of Torah, even at the moment of death, as it is stated: "This is the Torah: A person who dies in a tent" (Numbers 19:14). That is an allusion to the fact that even at the moment of death, one should engage in the study of Torah. Reish Lakish said: Matters of Torah only endure⁹ in a person who kills himself over the Torah, one who is ready to devote all his efforts to it, as it is stated: "This is the Torah: A person who dies in a tent," meaning that the Torah is only attained by one who kills himself in its tent. Rava said:

BACKGROUND

Jordan ship – ספינת הירדן: A detail of the mosaic map of Madaba, Jordan, which contains depictions of boats sailing on the Jordan River.



Jordan ship

HALAKHA

Matters of Torah only endure – דברי תורה מתקיימין: Matters of Torah do not endure in one whose learning is pampered and comfortable. They only endure in one who afflicts himself, exerts himself beyond his comfort level, and deprives himself of sleep in the study of Torah (Rambam *Sefer HaMadda*, *Hilkhot Talmud Torah* 3:12; *Shulhan Arukh*, *Yoreh De'a* 246:21).

Perek IX

Daf 84 Amud a

ולחנניא טילטול על ידי שוורים שמיא
טילטול? (אין). דתנן, שלש עגלות הן:
עשויה בקתידרא – טמאה מדרס,
כמשה – טמאה טמא מת, של אבנים –
טהורה מכלום, ואמר רבי יוחנן: ואם
יש בה בית קבול רמונים – טמאה
טמא מת.

And according to Hananya, who holds that a boat carried both full and empty can become ritually impure, is **carrying by oxen considered carrying**? He answered his own question. Yes, as we learned in a mishna: In terms of the *halakhot* of ritual purity and impurity, there are three distinct types of wagons:¹⁰ A wagon built like a chair, meaning closed on the sides, can become ritually impure with impurity imparted by treading. Since it is designated for sitting, it becomes impure if a *zav* sits on it, even if he does not touch it. A wagon built like a bed can become ritually impure with impurity imparted by a corpse. It contracts all types of impurity, except for impurity imparted by the treading of a *zav*. A wagon made of stone, whose bottom is netting, remains ritually pure and does not become impure from any type of impurity. And Rabbi Yohanan said: And if in the stone wagon there is a receptacle for pomegranates, i.e., the holes are not large enough for a pomegranate to fall through, it is considered a utensil and it can become impure with impurity imparted by a corpse. Even though a stone wagon is not carried full, but is pulled by oxen, it can become ritually impure. Apparently, carrying by oxen is considered carrying.

HALAKHA

There are three types of wagons – שלש עגלות הן: A wagon in the shape of a throne-like chair is susceptible to impurity imparted by treading. A wagon in the shape of a bed can become impure by means of the

impurity imparted through contact with a corpse. A wagon made of stone cannot become ritually impure at all, as stated in the mishna (Rambam *Sefer Tahara*, *Hilkhot Kelim* 27:3).

BACKGROUND

עגלות – Wagons



Wagon built like a chair



Wagon built like a bed, from Pompeii

וְדִין הוּא: וּמֵה פְּכִין קְטָנִים שְׁטֹהֲרִין
בְּזָב – טַמְאִים בְּמַת, מִפְּץ שְׁטָמָא
בְּזָב – אִינוּ דִּין שְׁיָהָא טַמָּא בְּמַת?
וְאִמְרֵי, הָא לִית לִיה טְהָרָה בְּמִקְוֶה!
אָמַר לִיה רַבִּי חֲנִנָּא: שְׂאֵי הָתָם –
הוֹאִיל וְאִיכָּא בְּמִינוּ.

אָמַר לִיה: רַחֲמֵנָא לִיעֲלֹן מִהָאִי
דְּעָתָא – אֲדַרְבֵּהּ, רַחֲמֵנָא לִיעֲלֹן
מִדְּעָתָא דִּידֶךָ! וְטַעֲמָא מַאי? תְּרִי
קְרָאִי בְּתִיבִי, בְּתִיב: "וְאִישׁ אֲשֶׁר
יָגַע בְּמִשְׁכָּבוֹ" וּבְתִיב: "וְכָל הַמִּשְׁכָּב
אֲשֶׁר יִשְׁכַּב עָלָיו הָזֶב יִטְמָא". הָא
בִּיצֵד, יֵשׁ בְּמִינוּ – אֶף עַל גַּב דְּלִית
לִיה טְהָרָה בְּמִקְוֶה, אִין בְּמִינוּ –
מְקִישׁ מִשְׁכָּבוֹ לוֹ.

And it is derived through an *a fortiori* inference: We know that small vessels do not become ritually impure through the impurity of a *zav* because they are not designated for sitting, and are too small for the *zav* to insert his finger into their airspace. If small earthenware pitchers^b remain pure and are not susceptible to the impurity of a *zav*, but they do become ritually impure from contact with a corpse; is it not logical that a reed mat,^h which contracts impurity from a *zav*, will become ritually impure from contact with a corpse? And why should the reed mat become impure? Isn't it true that it does not have the possibility of purification in a ritual bath? Rabbi Hanina said to him: There, in the case of the mat, it is different because there is purification in other vessels of its kind, i.e., other wooden vessels that are made from materials that grow from the earth can be purified in a ritual bath.

Rabbi Ila said to Rabbi Hanina: May the all-Merciful save us from this opinion. Rabbi Hanina responded: On the contrary, may the all-Merciful save us from your opinion. And what is the reason that this is relevant? What is the significance of the fact that other vessels of its kind can be purified in a ritual bath if the vessel itself cannot be purified in a ritual bath? It is because two verses are written. In one verse it is written: "And whoever touches his bed shall wash his clothes, and bathe himself in water, and be impure until the evening" (Leviticus 15:5). The verse juxtaposes his bed to himself. Just as he has the possibility of purification through immersion in a ritual bath, so too, his bed has the possibility of purification in a ritual bath. This teaches that his bed has the same legal status as he does; in order for a bed on which a *zav* lies to be subject to the impurity imparted by lying, it must be immersible in a ritual bath. And in another verse it is written: "Every bed on which the *zav* lies shall be impure; and every vessel on which he sits shall be impure" (Leviticus 15:4). This verse includes all beds on which a *zav* might lie, even one that cannot be purified in a ritual bath. How can these two verses be reconciled? If there is purification in other vessels of its kind,ⁿ even though it itself does not have purification in a ritual bath, it is subject to the impurity imparted by lying. However, if there is no purification in other vessels of its kind, the verse juxtaposes his bed to himself. Any vessel that is not like him in the sense that it cannot be purified in a ritual bath, is not subject to impurity imparted by lying.

BACKGROUND

Small pitchers – פְּכִין קְטָנִים: A pitcher is a small, typically earthenware vessel, used as a receptacle for liquids. The pitcher's opening is narrow, making it impossible to insert one's finger.



Small pitcher from the Second Temple era

HALAKHA

Impurity of a reed mat – טוּמְאַת מִפְּץ: By Torah law, a mat made of rope, reeds, papyrus, or similar materials becomes impure through impurity imparted by the treading of a *zav*. However, it is only by rabbinic law that a reed mat

can become impure from contact with a corpse, because the *a fortiori* inference is not accepted as absolute proof that there is impurity by Torah law in this case (Rambam *Sefer Tahara*, *Hilkhot Kelim* 23:1).

NOTES

יש: There is purification in other vessels of its kind – בְּמִינוּ: This rationale aroused the intense opposition of: May the all-Merciful save us from this opinion. The same rationale appears with slight variation in other areas

of *halakha*. From a logical standpoint, this represents a shift from a comparison of the individual vessels to a comparison of the categories to which the individual vessels belong.

From where is it derived that a garden bed, etc. – מִנֵּין לַעֲרוּגָה וְכוּ' – It is permitted to plant up to five species of vegetables in a garden bed that is six by six handbreadths as long as one plants each species along the various sides of the bed with one row in the middle, and there is a distance of a handbreadth and a half between the species (Rambam *Sefer Zera'im*, *Hilkhot Kilayim* 4:9).

רַבָּא אָמַר: מִדְּרֹס בְּלִי חֶרֶס טָהוֹר מִהֶבֶא – וְכָל בְּלִי פְתוּחַ אֲשֶׁר אֵין צְמִיד פְּתִיל עָלָיו, הָאֵל יֵשׁ צְמִיד פְּתִיל עָלָיו – טָהוֹר הוּא, מִי לֹא עֲסָקִינָן דִּיחֲדִינָהוּ לֹא שְׂתוּ נָדָה, וְקָאֻמַּר רַחֲמָנָא – טָהוֹר.

מתני' מִנֵּין לַעֲרוּגָה, שֶׁהִיא שֵׁשׁ עַל שֵׁשׁ טַפְחִים, שְׁזוּרְעִין בְּתוֹכָהּ חֲמִשָּׁה זְרָעוֹנִין, אַרְבַּעַה עַל אַרְבַּע רִחוּת הָעֲרוּגָה וְאַחַת בְּאֶמְצַע – שְׁנֵאָמַר: "כִּי כְּאֶרֶץ תּוֹצִיא צִמְחָהּ וְכִנְיָהּ יִזְרְעֶיהָ תַּצְמִיחַ" יִזְרְעָהּ לֹא נֶאֱמַר, אֶלָּא יִזְרְעֶיהָ.

גמ' מֵאֵי מִשְׁמַע? אָמַר רַב יְהוּדָה: "כִּי כְּאֶרֶץ תּוֹצִיא צִמְחָה", 'תּוֹצִיא' – חֵד, 'צִמְחָה' – חֵד, הָרִי תָרִי, יִזְרְעֶיהָ – תָרִי, הָאֵל אַרְבַּע, 'תַּצְמִיחַ' – חֵד, הָאֵל חֲמִשָּׁה.

Rava said: The fact that with regard to impurity imparted by treading, an earthenware vessel is ritually pure is derived from here, as it is stated: "And any open vessel that does not have a sealed cover on it becomes impure" (Numbers 19:15). By inference, if there is a sealed cover on it, it is pure. Are we not dealing even with a case where one designated the vessel for use by his wife, when she has the status of a menstruating woman? And even so, the Torah states that it is ritually pure? Apparently, an earthenware vessel with a sealed cover is not subject to impurity from any source.

MISHNA The Gemara continues to discuss an additional *halakha* based on a biblical allusion. From where is it derived that in a garden bed^{HN} that is six by six handbreadths, that one may plant five different types of seeds in it? He may do so without violating the prohibition of sowing a mixture of diverse kinds of seeds in the following manner. One sows four types of plants on each of the four sides of the garden bed and one in the middle. There is an allusion to this in the text, as it is stated: "For as the earth brings forth its growth, and as a garden causes its seeds to grow, so will the Lord God cause justice and praise to spring forth before all the nations" (Isaiah 61:11). Its seed, in the singular, is not stated; rather, its seeds, written in the plural. Apparently, it is possible that several seeds may be planted in a small garden.

GEMARA The Gemara questions this allusion: From where is it inferred that the verse refers to five types of seeds? Rav Yehuda said that it is derived as follows: "For as the earth brings forth its growth" indicates five types of seeds because "brings forth" represents one and "its vegetation" represents one, and that totals two. "Its seeds," written in the plural, represents at least two, and that totals four. "Cause to grow" is one more. This verse includes terms connoting planting and seeds in a single garden bed that total five species of seeds.

NOTES

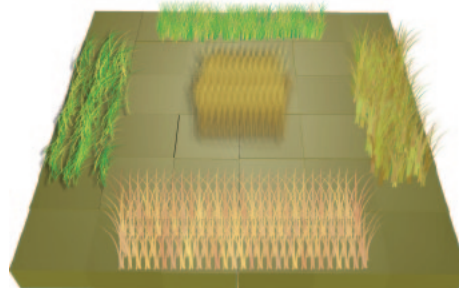
סוגיית ערוגה – The discussion with regard to a garden bed

The discussion here is not particularly clear. As a result, there are many divergent opinions among the commentaries. The fundamental problem is that with no diagrams accompanying the Mishna or Gemara, it is difficult to understand precisely what each is describing and to cite proof from the Talmud for or against any of the proposed explanations.

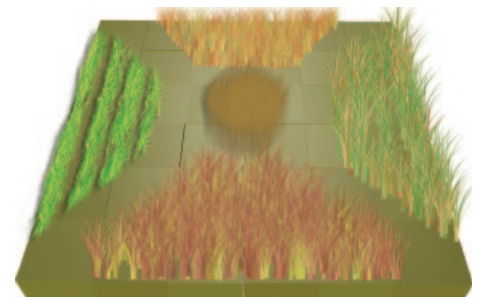
There is also a dispute in terms of the content of this passage. On one extreme is the opinion that at least three handbreadths must separate the different species of plants. This opinion is cited by Rashi and Rabbeinu Tam in *Sefer HaYashar*.

At the other extreme is the opinion that the various species do not need to be distanced from one another. The fundamental requirement is to prevent seeds from intermingling and each species must be easily discernible from the others.

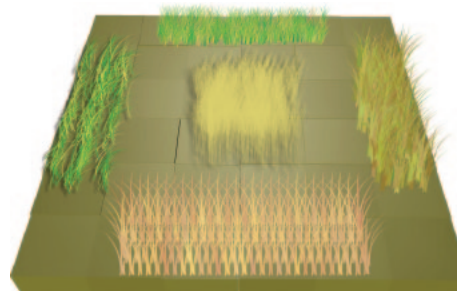
An intermediate approach holds that a handbreadth and a half distance must separate the plants on each side (Rashi and *Tosafot*). Others say that it is necessary to maintain that distance only on certain sides. According to Rabbeinu Shimshon of Saens, one must plant the species so that each row of plants is at least a handbreadth and one-tenth from the edge of the garden bed, ensuring that there will be a distance of a handbreadth and a half between each set of plants on all sides. Some *ge'onim* explain that a distance of one handbreadth between the various species is sufficient. Others explain that there is no need to keep a distance between them and it is sufficient to plant the seeds on different sides and in different patterns (see *Meleket Shlomo* and *Tiferet Yisrael*).



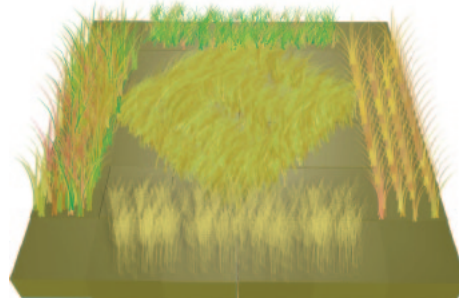
Garden bed discussed in the mishna according to the approaches of Rabbeinu Hananel and Me'iri



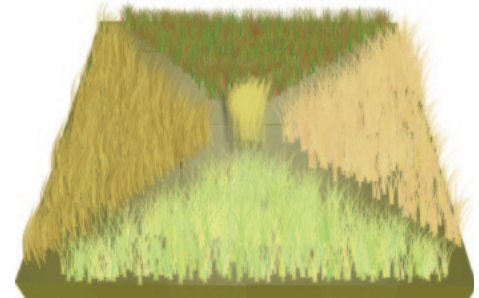
Opinion of the Rosh



Opinion of the *ge'onim*



Opinion of the Rambam



Opinion of *Tiferet Yisrael*

וקים להו לרבנן דחמשא בשיתא לא
ינקי מהדדי.

ומנלן דהא דקים להו לרבנן (דחמשא
בשיתא) מילתא היא – דאמר רבי חייא
בר אבא אמר רבי יוחנן, מאי דכתיב:
”לא תסיג גבול רעך [אשר גבולו
ראשונים]” – גבול שגבולו ראשונים לא
תסיג. מאי גבולו ראשונים? אמר רבי
שמואל בר נחמני אמר רבי יוחנן: (מאי)
דכתיב ”אלה בני שעיר החרי יושבי
הארץ”; אטו כולי עלמא יושבי רקיע
מנהו? אלא שהיו בקיאים בישובה של
ארץ שהיו אומרים: מלא קנה זה –
לזית, מלא קנה זה – לגפנים, מלא קנה
זה – לתאנים ו”חרי” – שמריהם את
הארץ. ו”חוי” – אמר רב פפא: שהיו
טועמין את הארץ בחויה. רב אחא
בר יעקב אמר: ”חרי” – שנגעשו בני
חורין מבכסיהן.

אמר רב אסי: ערוגה תוכה ששה, חוץ
מגבוליה. תניא נמי הכי: ערוגה תוכה
ששה, גבוליה בכמה? כדתנן, רבי
יהודה אומר: רוחב במלא רוחב פרסה.
אמר רבי יודא ואיתימא רבי חנניא בר
פפא: מאי טעמא דרבי יהודה – דכתיב:
”השקית בגלגל בגן הירק” מה רגל
טפח – אף גבול נמי טפח.

And the Sages have an accepted tradition that five seeds in a six-handbreadth space do not draw sustenance from one another.

The Gemara asks: And from where do we derive that when the Sages have an accepted tradition it is a substantial matter, meaning that the tradition is reliable? Rabbi Hiyya bar Abba said that Rabbi Yohanan said: What is the meaning of that which is written: “You shall not cross your neighbor’s border, which they of the old times have set in your inheritance that you shall inherit” (Deuteronomy 19:14)? It means that you shall not cross the border that the early generations set,^N establishing the parameters necessary for each plant. The Gemara asks: What is the meaning of the phrase: The early generations set? Rabbi Shmuel bar Nahmani said that Rabbi Yonatan said: What is the meaning of that which was written: “These are the sons of Seir the Horite who inhabit the land, Lotan and Shoval and Zibeon and Ana” (Genesis 36:20)? And is everyone else inhabitants of the heavens, that it was necessary for the verse to emphasize that these inhabit the land? Rather, it means that they were experts in the settlement of the land, as they would say: This tract of land that is the full length of a rod is fit for olive trees; this full length of a rod is fit for grapes, this full length of a rod is fit for figs. And the members of this tribe were called Horites [hori] since they smelled [herihu] the earth^B to determine what is fit to be grown there. The allusion is based on a transposition of the letters *het* and *reish*. And in explanation of why the early inhabitants of Seir were called Hivites [hivi] (see Genesis 36:2), Rav Pappa said: Because they would taste the earth like a snake [hivya] and determine what should be grown there according to the taste. Rav Aha bar Ya’akov said that they were called Horites [hori] because they became free [benei horin] of their possessions when the children of Esau drove them from their lands. Their primary name was actually Hivites.^N

With regard to the *halakha* itself, Rav Asi said: The garden bed in the mishna whose area is six by six handbreadths is one whose internal area is six by six handbreadths excluding the area of its boundaries, which must be added to the total area. That was also taught in a *baraita*: The internal area of a garden bed is six by six handbreadths. The Gemara asks: How much is the size of its boundaries?^N The Gemara answers, as we learned in a mishna that Rabbi Yehuda says: The width of the border is like the width of a foot. And Rabbi Zeira said, and some say it was Rabbi Hanina bar Pappa who said: What is the reason for the statement of Rabbi Yehuda? As it is written: “And you water it with your foot like a garden of herbs” (Deuteronomy 11:10), meaning that just as one’s foot is a handbreadth wide, so too, the boundary between garden beds where one walks to water plants is also a handbreadth wide.

BACKGROUND

They smelled the earth – שְׁמְרִיחִים אֶת הָאָרֶץ – The pH level of the soil is an important factor in the success of growing plants in different types of land. Different plants require different pH levels. Therefore, soil suitable for one plant might be unsuitable for another. In modern times, the quality of the soil and its pH level are determined through chemical testing. However, experienced agriculturalists can ascertain this information by tasting the soil.

NOTES

גבול שגבולו ראשונים – The border that the early generations set – The Sages explain that since the Torah attested to the fact that early nations were experts in settlement of the land, it is conceivable that they knew the nature of the different types of land in great detail, even within a single garden bed.

Horites and Hivites – החרי והחוי: Some commentaries write that the Sages interpreted the name Horites homiletically here, because the use of the definite article is unusual before a name. The Torah does so here without any previous mention of this nation. Therefore, apparently, it is not a personal name, but a nickname (Maharsha). Alternatively, perhaps the Gemara turned to homiletic interpretation because this nation was called both Horites and Hivites and certainly, one of these terms was a nickname.

ערוגה... How much is the size of its boundaries – גבוליה בכמה: Some commentaries suggest that the purpose of determining the size of a garden bed’s boundaries was to determine how much space must be left between the garden beds, to avoid prohibited mixtures of diverse kinds of seeds (*Me’iri*). In the mishna in tractate *Kilayim*, there is a suggestion that one could plant on the boundary itself, necessitating the determination of its size. As for the *halakha*, some authorities rule that the boundary of a garden bed must be one handbreadth wide (*Tosafot*) with an additional two handbreadths between garden beds. Others state that a single handbreadth between garden beds is sufficient (*Me’iri*).

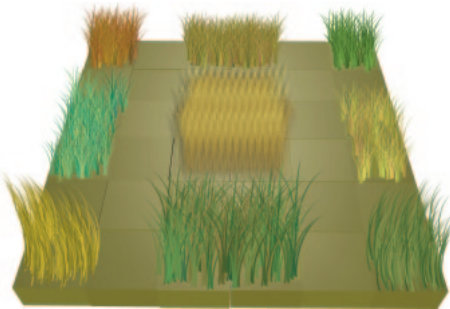
HALAKHA

Garden bed in a desolate area – ערוגה בחורבה: A single garden bed with five different species may be planted in a barren area, isolated from other gardens. However, if it is among other beds, there must be a clear demarcation of each type of plant, as per the ruling of Rav. The *halakha* is ruled in accordance with his opinion in ritual matters (Rambam *Sefer Zera'im, Hilkhot Kilayim* 4:10).

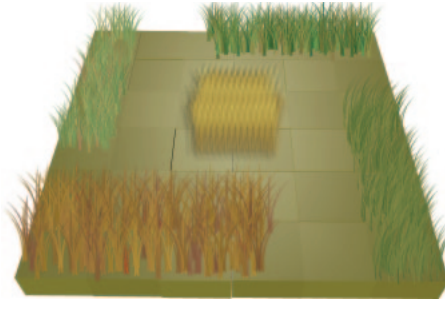
NOTES

Isn't there space in the corners – והאִיכָא מְקוֹם קְרָנוֹת: According to another understanding, the Gemara asks, why did Rav prohibit planting five species in a garden bed located among other beds? Even if the garden beds themselves are close to one another, there is certainly space between them in the corners. In that case, it would be possible to plant in the second garden bed adjacent to the empty corner (see Rashi, *Me'iri*, and Rambam).

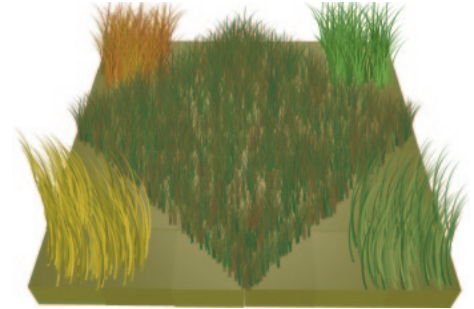
Where one fills the corners – בְּמַמְלֵא אֶת הַקְּרָנוֹת: According to the Rambam's explanation, this diagram illustrates a case in which one fills the corners. See the *Halakha* section on 85b for a slightly different explanation of Rambam's opinion with regard to filling the corners. Rashi and *Tosafot* suggest alternative approaches.



Solitary garden bed with space in the corners



Planting on the outside without filling the inside



Filling the corners according to the Rambam

Perek IX

Daf 85 Amud b

BACKGROUND

Triangular plot of vegetables – ראש תור ירק: The case in the Gemara is one where a triangular plot belonging to one field protrudes into another. The directions of the planted furrows clearly indicate that the two fields are distinct, even though there is no other boundary between them.



Triangular plot of one field protruding into another

גִּיזְרָה שְׁמָא יִמְלֵא אֶת הַקְּרָנוֹת. וְלֹא יִהְיֶה אֶלֶף רֹאשׁ תּוֹר יֶרֶק, מִי לֹא תֵּנֵן: הֲיֵה רֹאשׁ תּוֹר יֶרֶק נִכְנֵס לְתוֹךְ שָׂדֶה אַחֵר – מוֹתֵר, מִפְּנֵי שְׁנֵרָאָה סוֹף שָׂדֶה! אֵין רֹאשׁ תּוֹר בְּעֵרוּגָה.

Rather, Rav's reasoning must be: It is a decree lest one will fill the corners^h after having first planted the garden bed, and thereby violate the prohibition of diverse kinds. The Gemara asks: And why should that matter, the legal status of the garden bed should merely be like a triangular [*rosh tor*]^l plot of vegetables. Didn't we learn in a mishna: If a triangular plot of vegetables^b was protruding into another field, it is permitted; there, it is not considered a prohibited mixture of diverse kinds, because the end of the field is distinguishable. Based on the shapes of the two fields where they intersect, the demarcation between them is clear. And the Gemara answers: There is no leniency with regard to a triangular plot in a garden bed. This allowance with regard to a triangular section of one field jutting into another field applies only to a large field where the triangular shape can clearly be attributed to a different field, but in a small garden bed where the seeds are adjacent to one another, it is impossible to distinguish between the seeds.

HALAKHA

A decree lest one will fill the corners – גִּיזְרָה שְׁמָא יִמְלֵא אֶת הַקְּרָנוֹת: It is prohibited to sow outside of a garden bed without the separation of a furrow, even adjacent to an empty corner where nothing is planted. This is based on the concern that

one might sow four different species in the four corners of the garden bed, and these species will intermingle with the species outside the four corners (Rambam *Sefer Zera'im, Hilkhot Kilayim* 4:11).

LANGUAGE

Triangular [*rosh tor*] – ראש תור: Some commentaries explain that this expression comes from the word for ox, because the shape of an ox head is triangular. Others say that its source is

the verse, "We will make you *torei zahav*" (Song of Songs 1:11), which refers to a triangular ornament (Rambam's Commentary on the Mishna).

Where one inclines one row to here and one row to here – **בְּנוֹטָה שׁוֹרֶה לְכָאן וְשׁוֹרֶה לְכָאן** – If a garden bed is situated among other beds, and one seeks to plant five species in each one, he must incline the leaves in one bed to one side, and the leaves in the other bed to another side. Rav disagreed with Shmuel only with regard to the explanation of the mishna, not with regard to this *halakha* (Rambam *Sefer Zera'im, Hilkhot Kilayim* 4:10).

The intermingling of these garden beds comes and nullifies the row – **בָּא עֲרֻבּוּב וּבִטֵּל אֶת הַשּׁוֹרֶה** – If one dug a furrow between two garden beds, he is permitted to fill up each bed. The *halakha* is in accordance with the opinion of Rav Ashi, who is the later authority (Rambam *Sefer Zera'im, Hilkhot Kilayim* 4:10).

וּשְׁמוּאֵל אָמַר: עֲרוּגָה בֵּין הָעֲרוּגוֹת שְׁנֵינִי. וְהָא קָא מִיתְּעַרְבִי בִּהְדָּדִי בְּנוֹטָה שׁוֹרֶה לְכָאן וְשׁוֹרֶה לְכָאן.

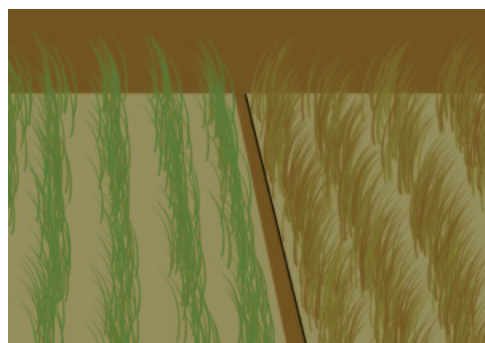
And Shmuel said: When we learned in the mishna that one may plant five kinds of seeds within a garden bed without violating the prohibition of diverse kinds, **we learned this** even with regard to a **garden bed among garden beds**, not only in a solitary bed. The Gemara asks: **Don't the seeds become intermingled with one another?** The Gemara answers: It is referring to a case **where one inclines one row to here**, in one direction, **and one row to here**,^{HN} in a different direction (*Me'iri*). In that way they do not appear intermingled.

אָמַר עוּלָא, בָּעוּ בְּמַעֲרָבָא: הִפְקִיעַ תַּלְמֵם אֶחָד עַל פְּנֵי כּוֹלָה מַהוּ? אָמַר רַב שִׁשְׁתִּי: בָּא עֲרֻבּוּב וּבִטֵּל אֶת הַשּׁוֹרֶה. רַב אָסִי אָמַר: אֵין עִירּוּבּוּ מְבַטֵּל אֶת הַשּׁוֹרֶה. אֵיתִיבִיהּ רַבִּינָא לְרַב אָסִי: הַנּוֹטֵעַ שְׁתֵּי שׁוּרוֹת שֶׁל קִישׁוּאִין, שְׁתֵּי שׁוּרוֹת שֶׁל דִּילּוּעִין, שְׁתֵּי שׁוּרוֹת שֶׁל פּוֹל הַמַּצְרִי – מוֹתֵר. שׁוֹרֶה אַחַת שֶׁל קִישׁוּאִין, וְשׁוֹרֶה אַחַת שֶׁל דִּילּוּעִין, וְשׁוֹרֶה אַחַת שֶׁל פּוֹל הַמַּצְרִי – אָסוּר! שְׁאֵין הָכָא – דְּאִיכָא שְׂרָאכָא.

Ulla said: They raise a dilemma in the West, Eretz Yisrael: **What is the halakha if one opened a single furrow across its entirety?**^N Is it considered demarcation between the garden beds if one dug a furrow between two garden beds (*ge'onim, Tosafot*)? **Rav Sheshet said: The intermingling of these garden beds comes and nullifies the row.**^H The furrow is not considered to be a demarcation between the beds. **Rav Asi said: Its intermingling does not disqualify the row.** Ravina raised an objection to the opinion of Rav Ashi from a mishna: **One who plants two rows of cucumbers and two rows of gourds and two rows of Egyptian beans, it is permitted** because each of the species is distinct. However, if he plants **one row of cucumbers and one row of gourds and one row of Egyptian beans, it is prohibited** because in single rows there is no clear demarcation between the species. This indicates that a furrow between different species of seeds does not prevent intermingling between them. Rav Ashi replied: The case in that mishna is an exception. **Here, it is different because there are branches** that grow out from these species which become entangled with each other, nullifying the furrow between them. Other vegetables, whose branches do not become entangled, may be planted with a single furrow between them.

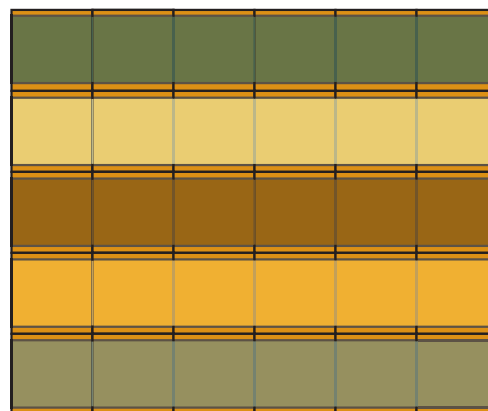
NOTES

Where one inclines one row to here and one row to here – **בְּנוֹטָה שׁוֹרֶה לְכָאן וְשׁוֹרֶה לְכָאן** – Some commentaries explain that the very fact that there are two separate rows, each one in a separate bed, is in and of itself a sufficient separation with regard to the matter of forbidden mixtures of diverse kinds (Rabbeinu Hananel). Others maintain that one must sow the two rows adjacent to one another in the two separate garden beds with the same species of plant, to avoid any concern with regard to forbidden mixtures of diverse kinds (see Rashi).



Rows inclining in different directions

A single furrow across its entirety – **תַּלְמֵם אֶחָד עַל פְּנֵי כּוֹלָה** – The question here relates to a person who did not plant the species in rows, but in a mixed bed, and made a furrow to separate the bed from another bed (Rabbeinu Hananel). Alternatively, the question is whether it is sufficient separation if one sowed five species in a single bed, and put each species in a separate row across the width of the bed (*ge'onim*; see Rashi, who explains this differently).



Five species in separate rows

One who wishes to fill his entire garden with vegetables – *הרוצה למלאות כל גינתו ירק*: One who wishes to fill an entire garden with various vegetables without distancing them from one another can make square-shaped beds of at least six by six handbreadths, draw five concentric circles and plant different species in each circle. One may plant additional species in the corners. If one wants to fill the entire space, he may plant the circles in horizontal rows and fill the space in between them with vertical rows of different plants (Rambam *Sefer Zera'im*, *Hilkhot Kilayim* 4:15).

אמר רב כהנא אמר רבי יוחנן: הרוצה למלאות כל גינתו ירק עושה ערוגה ששה על ששה, ועויל בה חמשה, וממלא קרנותיה כל מה שירצה.

והא איכא דביני וביני! אמרי דבי רבי ינאי: במחריב בין הביניים. רב אשי אמר: אם היו זרעין שתי – זרען ערב, ערב – זרען שתי. איתביה רבינא לרב אשי: עבודת ירק בירק אחר – ששה טפחים, ורואין אותם

Rav Kahana said that Rabbi Yohanan said: One who wishes to fill his entire garden with vegetables⁴ and does not want to distance the rows of seeds from one another may make a garden bed that is six by six handbreadths and make five circles inside it^N (*ge'onim*, Rambam). He plants different species in the different circles and fills its corners with whatever additional species that he wants.

The Gemara asks: Aren't there seeds between the circles, which intermingle with the species that are in the circles? The school of Rabbi Yannai say in response to this: This is referring to a case where one leaves the space in between them barren and does not plant there. Rav Ashi said: He may fill the entire bed with seeds, and demarcate between the different types of seeds in the following manner. If the circles were planted lengthwise, he plants the seeds in between widthwise; and if the circles were planted widthwise, he plants the seeds in between lengthwise. Ravina raised an objection to the opinion of Rav Ashi: We learned that the work space of a vegetable of one species, when planted with a vegetable of a different species, is six handbreadths. And one views them

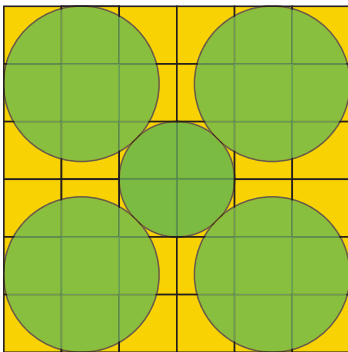
NOTES

And makes five circles inside it – *ועויל בה חמשה*: The Gemara is explained here according to the *ge'onim* and the Rambam. Rashi and *Tosafot* offer alternative explanations. The *Me'iri* explains this case like the *ge'onim* but with a slight

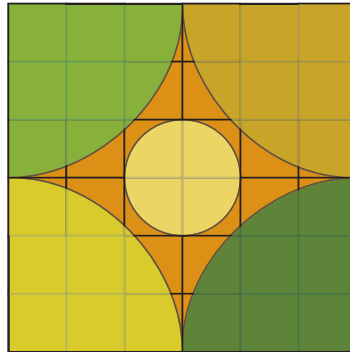
difference, as pictured below.

According to the Rambam, one is not restricted to five species but can plant up to nine: Five kinds of plants in each of the circles and another four in the corners. The Ra'avad, however,

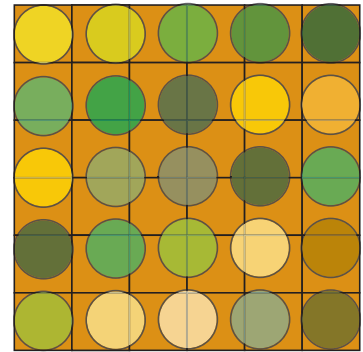
explains that one is permitted to make five rows of five circles, each with a diameter of one handbreadth, along the length of the garden bed, for a total of twenty-five circles in the garden bed.



Five circles of crops, according to the *ge'onim*



Explanation of the *Me'iri*



Explanation of Ra'avad

Perek IX

Daf 86 Amud a

בטבלא מרובעת; בטבלא הוא דשרי, הא לאו הכי – אסור! התם לאקולי בה קולא אחרינא – להתיר ראש תור היוצא הימנה.

as a square board. All of the *halakhot* of planting various species were stated with regard to a square-shaped garden bed. By inference: When it is like a square board, it is permitted; and when that is not the case, it is prohibited. Planting different species in horizontal and vertical rows without a space between the species is ineffective, even with circles. Rav Ashi replied: When the *baraita* says a square board, it does not mean that the only way to demarcate between different species is when the rows are in that configuration. Rather, it is to introduce a different leniency. The *baraita* came to permit a triangular plot that protrudes from it into another field. This means that a triangular protrusion into another field is considered a conspicuous demarcation only if the bed was square; in that case, no additional measures are necessary.

פולטת שכבת זרע – פולטת שכבת זרע: A woman who discharges semen is impure if it happened within three twelve-hour periods after engaging in sexual relations. The Rambam issued this ruling. Apparently, in his version of the text, the Rabbis said: Three twelve-hour periods, not three days (Rambam *Sefer Tahara*, *Hilkhot She'ar Avot Ha-Tumot* 5:11).

מרחיצין את התינוק – In the talmudic era, it was commonly believed that if babies were not washed in hot water both before and after circumcision, as well as three days thereafter, they would be in mortal danger. In modern times, it is not customary to bathe the child in this manner. The Rema writes that in his country and surrounding lands, it was the practice to bathe the child on Shabbat before the circumcision, using water that was heated the day before. However, it was not customary to bathe the baby if the third day after the circumcision fell on Shabbat. The exception was if a family anticipated that the baby would require bathing on Shabbat, and heated the water before Shabbat began. If there is concern for the baby's life, the *halakhot* of Shabbat may be violated, as they would be for any other sick person (Rambam *Sefer Ahava*, *Hilkhot Mila* 2:8; *Shulhan Arukh*, *Orah Hayyim* 331:9).

לשון של זהרית – A red thread weighing two *sela* is tied to the head of the goat that is sent to Azazel, as stated in the mishna (Rambam *Sefer Avoda*, *Hilkhot Avodat Yom HaKippurim* 3:4).

לסיכה – שמהא כשתיה – Smearing oil on one's body is like drinking. It is prohibited to smear oneself with oil on Yom Kippur, even to mask an odor. It is permitted if one is ill, even if the illness is not life-threatening, or if he has scabs on his head. This prohibition is a rabbinic injunction, though there is an allusion to it in the Bible (Rambam *Sefer Zemanim*, *Hilkhot Shevitat Asor* 3:9; *Shulhan Arukh*, *Orah Hayyim* 614:1).

MISHNA The mishna continues to cite a series of unrelated *halakhot* based upon biblical allusions. **From where is it derived that a woman who discharges semen^H even on the third day after relations is ritually impure, just like one who touches semen^N (see Leviticus 15:17)?** Because the semen remains fit for insemination, it can transmit impurity, as it is stated prior to the revelation at Sinai: "And he said to the people, **prepare yourselves for three days, do not approach a woman**" (Exodus 19:15). This three-day separation period ensured that even a woman who discharged semen would be pure. The mishna cites another *halakha* based on a biblical allusion: **From where is it derived that one may wash the circumcision^H on the third day, meaning the third day after the circumcision, even if it occurs on Shabbat? As it is stated: "And it came to pass on the third day when they were in pain"** (Genesis 34:25). The pain of circumcision lasts at least three days, and as long as the child is in pain he is considered to be in danger. The mishna cites another *halakha* with an allusion in the Bible: **From where is it derived that one ties a scarlet strip of wool^{NH} to the head of the scapegoat that is dispatched to Azazel? As it is stated: "If your sins be like scarlet, they will become white like snow"** (Isaiah 1:18). Since the goat is offered to atone for sins, red wool is tied to its horns. The mishna cites another allusion. **From where is it derived that smearing oil on one's body is like drinking^H and is similarly prohibited on Yom Kippur? Although there is no proof for this, there is an allusion to it, as it is stated: "And it comes into his inward parts like water and like oil into his bones"** (Psalms 109:18). The verse appears to equate smearing oil on one's body with drinking water.

GEMARA The Gemara comments on the *halakhot* cited in the mishna: **The first clause in the mishna with regard to discharged semen is not in accordance with the opinion of Rabbi Elazar ben Azarya. The latter clause in the mishna with regard to circumcision is in accordance with the opinion of Rabbi Elazar ben Azarya. As, if one was to assert that the first clause is also in accordance with the opinion of Rabbi Elazar ben Azarya, we heard him say that in that case the woman is ritually pure.** The Gemara explains: **He who does not establish the mishna as reflecting the opinions of two *tanna'im*, has a variant reading of the mishna; he teaches the *halakha* in the first clause: The woman is ritually pure,^N and establishes the entire mishna in accordance with the opinion of Rabbi Elazar ben Azarya. And he who establishes the mishna as reflecting the opinions of two *tanna'im*,^N holds that the first clause is in accordance with the opinion of the Rabbis,^N and the latter clause is in accordance with the opinion of Rabbi Elazar ben Azarya.**

מתני' מנין לפולטת שכבת זרע – ביום השלישי (שתהא) טמאה – שנאמר: "היו נכנים לשלושת ימים". מנין שמרחיצין את המילה ביום השלישי שחל להיות בשבת – שנאמר: "ויהי ביום השלישי בהיותם באבים". מנין שקושרין לשון של זהרית בראש שעיר המשתלח – שנאמר: "אם יהיו חטאיכם כשנים כשלג ילבינו". מנין לסיכה שהיא בשתייה ביום הכפורים – אף על פי שאין ראיה להבר – ובר להבר, שנאמר: "ותבא כמים בקרבן ובשמן בעצמותיו".

גמ' רישא דלא ברבי אלעזר בן עזריה, סיפא ברבי אלעזר בן עזריה, דאי ברבי אלעזר בן עזריה – טהורה שמענא ליה! מאן דלא מוקי בתנאי – תנא רישא "טהורה" – ומוקי לה לכולה ברבי אלעזר בן עזריה, ומאן דמוקים בתנאי – רישא רבנן, וסיפא ברבי אלעזר בן עזריה.

NOTES

The impurity of semen – טומאת שכבת זרע: In the laws of the impurity, a distinction must be drawn between two situations. One who emits semen either willingly or not, in the course of relations or otherwise, is impure. He may immerse in a ritual bath that same day and assume the legal status of one who immersed during the day, and his purification is completed at nightfall. A woman who has relations is also impure until she immerses. This form of impurity is a Torah edict and is not due to contact with semen. In addition, a woman becomes impure through contact with semen. That is why a woman who discharges semen after relations is impure.

Scarlet strip of wool – לשון של זהרית: As part of the Temple ritual on Yom Kippur, a scarlet strip of wool was tied to the goat that was sent to Azazel. One end was tied to the goat's head and the other end was tied to the rock from which it was pushed. On occasion, the scarlet strip turned miraculously white in fulfillment of the verse: "If your sins be like scarlet, they will become white like snow" (Isaiah 1:18).

He teaches the *halakha* in the first clause: The woman is ritually pure – תנא רישא טהורה: The emendation of the text is not motivated by effort to avoid attributing the mishna to two different *tanna'im*. Rather, there were two readings of the text, one stating that the woman is impure and the other stating that she is pure.

Each opinion chose the version better suited to its preferred approach (*ge'onim*).

Who establishes the mishna as reflecting the opinions of two *tanna'im* – דמוקים בתנאי: In the course of their analysis of *mishnayot*, the Sages often discovered internal contradictions. At times these were apparent contradictions, and at other times they were inconsistencies that became apparent after drawing inferences from various clauses in the mishna. The Sages of the Talmud employed two principal methods to resolve contradictions of this kind. Different Sages preferred different approaches in seeking a resolution. One method for resolving contradictions was to assert that the two divergent opinions in the mishna did not constitute a contradiction. Rather, the opinions reflect the positions of two *tanna'im* [*terei tanna'eil*], who disagree. Other Sages preferred to explain the mishna according to one *tanna* and resolved the apparent contradiction by asserting that the two clauses of the mishna are dealing with different cases, each with its own rationale [*terei ta'ameil*].

The first clause is in accordance with the opinion of the Rabbis – רישא רבנן: Some commentaries write that the Rabbis mentioned here are those listed on the next *amud*. They express the opinion that semen only ceases to transmit impurity after six twelve-hour periods have elapsed (Re'em Horowitz).

תנו רבנן: פולטת שכבת זרע ביום השלישי – טהורה, דברי רבי אלעזר בן עזריה. רבי ישמעאל אומר: פעמים שהן ארבע עונות, פעמים שהן חמש עונות, פעמים שהן שש עונות. רבי עקיבא אומר: לעולם חמש. ואם יצאתה מקצת עונה ראשונה – נותנין לה מקצת עונה ששית.

The Gemara elaborates on the matter of a woman who discharges semen, citing that which the Sages taught in a *baraita*: A woman who discharges semen at any point on the third day is ritually pure; this is the statement of Rabbi Elazar ben Azarya. Rabbi Yishmael says: Even on the third day she is ritually impure. In addition, the only relevant tally is the number of days. The number of twelve-hour periods of night and day that passed is not relevant. Sometimes there are four twelve-hour periods that elapsed between cohabitation and discharge. If she had relations just before nightfall on Wednesday and discharged on Friday night at the beginning of Shabbat, it is considered as if three days passed, meaning Wednesday, Thursday and Friday; and four twelve-hour periods, meaning Wednesday night, Thursday day, Thursday night and Friday day. Sometimes there are five twelve-hour periods that elapsed, in a case where she discharged semen at the end of Friday night. Sometimes there are six twelve-hour periods that elapsed, if she had relations at the beginning of Tuesday night and discharged at the end of the third day. Rabbi Akiva says: The *halakha* is that it is always five twelve-hour periods. And if she had relations after part of the first period passed, she is given part of the sixth period to complete the requisite five twelve-hour periods, so that sixty hours will have elapsed between cohabitation and discharge.

אמרו רבנן קמיה דרב פפא, ואמרי לה רב פפא לרבא: בשלמא רבי אלעזר בן עזריה – ברבנן, דאמרי בחמש עביד פרישה. ורבי ישמעאל ברבי יוסי דאמר – בארבע עביד פרישה. אלא רבי עקיבא, כמאן? לעולם ברבי יוסי, כדאמר רב אדא בר אבהו: משה בהשכמה עלה, ובהשכמה ירד.

The Rabbis said this before Rav Pappa, and some say that Rav Pappa said this to Rava: Granted, Rabbi Elazar ben Azarya holds in accordance with the opinion of the Rabbis, who say with regard to the revelation at Sinai that Moses instituted separation between husbands and wives on the fifth day of the week. Since everyone agrees that the Torah was given on Shabbat, husbands and wives were separated for two days. And Rabbi Yishmael holds in accordance with the opinion of Rabbi Yosei, who said that Moses instituted separation on the fourth day of the week, meaning that husbands and wives were separated for three days. However, in accordance with whose opinion did Rabbi Akiva state his opinion? Ritual impurity, in this case, is not based on the passage of days but on the passage of twelve-hour periods, which do not correspond to either opinion mentioned with regard to the revelation at Sinai. The Gemara answers: Actually, Rabbi Akiva holds in accordance with the opinion of Rabbi Yosei. However, his understanding is based on that which Rav Adda bar Ahava said: Moses ascended Mount Sinai early in the morning, and he descended early in the morning and related to them the mitzva of separation.

בהשכמה עלה – דכתיב: "וישכם משה בבקר ויעל אל הר סיני", בהשכמה ירד – דכתיב: "לך רד ועלית אתה ואהרן עמך". מקיש ירידה לעלייה, מה עלייה – בהשכמה, אף ירידה – בהשכמה.

The Gemara explains the source of this opinion: He ascended Mount Sinai early in the morning, as it is written: "And Moses rose up early in the morning, and went up to Mount Sinai, as the Lord had commanded him" (Exodus 34:4). And he descended the mountain early in the morning, as it is written: "Go descend and you shall ascend together with Aaron" (Exodus 19:24). The Torah juxtaposes descent to ascent to establish that just as Moses' ascent was early in the morning, so too, his descent was early in the morning. Moses told the people to separate in the early morning so that there would be five complete periods of separation over the course of the three days.

למה ליה למימרא להו? והא אמר רב הונא: ישראל קדושים הן ואין משמשין בטוהיהן ביום! הא אמר רבא: אם היה בית אפל – מותר. ואמר רבא ואיתימא רב פפא: תלמיד חכם מאפיל בטליתו – נמוך.

The Gemara asks: Why did he need to tell them to separate during the morning hours? Didn't Rav Huna say: The Jewish people are holy and do not have relations during the day?²⁴ It was not necessary to command them until night. The Gemara replies: It was necessary to tell them in the morning, as Rava said: If it was a dark house, it is permitted to have relations during the day. And similarly Rava said, and some say that Rav Pappa said: A Torah scholar obscures the light in the room with his cloak and is thereby permitted to have relations during the day. Therefore, it was necessary to command the people to separate even during the daytime hours.

NOTES

ואין משמשין – And do not have relations during the day – מטוהיהן ביום: The Gemara establishes that having sexual relations during the day is considered immodest and immoral behavior. Additionally, there is the concern that, in daylight, a man may find something unattractive about his wife, rendering her undesirable to him. A Torah scholar who is modest by definition may only have relations during the day if the couple is appropriately covered.

HALAKHA

ואין משמשין – And do not have relations during the day – מטוהיהן ביום: It is prohibited to engage in sexual relations by candlelight or during the day. However, a Torah scholar who obscures the light with a cover may engage in relations. It is similarly permitted to engage in relations during the day in a dark room (Rambam *Sefer Kedusha*, *Hilkhot Issurei Bia* 21:10; *Shulhan Arukh*, *Orah Hayyim* 240:11).

וְהָא טְבוּלֵי יוֹם נִתְּנָהוּ! אָבִי בְּרַבִּין וְרַב
חֲמִינָא בְּרַבִּין דְּאִמְרֵי תְרוּוּיָהּ: נִתְּנָה
תּוֹרָה לְטְבוּל יוֹם. יְתִיב מְרִימָר וְקָאָמַר לָהּ
לְהָא שְׂמַעְתָּא, אָמַר לִיהּ רַבִּינָא לְמְרִימָר:
”נִתְּנָה” קָאָמַרְתָּ, אוּ רַאויָהּ קָאָמַרְתָּ?
אָמַר לִיהּ: רַאויָהּ קָאָמַרְתָּ.

The Gemara asks: **Didn’t** some of the people have status of **those who immersed themselves during the day** when they received the Torah? Some of the women immersed themselves on Shabbat evening to purify themselves from the discharge of semen. Even after immersion, the purification process is not complete until sunset. It was Abaye bar Ravin and Rav Hanina bar Avin who both said in response: **The Torah was given to those who immersed themselves during the day**, and that in no way diminishes the magnitude of the revelation. The Gemara relates that Mareimar sat and stated this *halakha*. Ravina said to Mareimar: **Did you say** that the Torah was actually given to those who immersed themselves during the day, **or did you say** that it was fit to be given to those who immersed themselves during the day, but, in reality, it was not? He said to him: **I said** that the Torah was fit to be given, but in actuality the nation was ritually pure, and the women did not discharge semen on the third day.

וְלִטְבֹּלוֹ בֵּינֵי שְׁמִינִי, וְלִקְבֹּלוֹ תּוֹרָה בֵּינֵי
שְׁמִינִי! אָמַר רַבִּי יִצְחָק: ”לֹא מְרִאשׁ
בְּסֵתֶר דְּבִרְתִּי”. וְלִטְבֹּלוֹ בְּצַפְרָא דְּשַׁבְּתָא,
וְלִקְבֹּלוֹ תּוֹרָה בְּצַפְרָא דְּשַׁבְּתָא! אָמַר
רַבִּי יִצְחָק: שְׁלֹא יְהֵא הִלְלוּ הוֹלְכִין לְקַבֵּל
תּוֹרָה, וְהִלְלוּ הוֹלְכִין לְטְבִילָה.

The Gemara asks: **And let them immerse during twilight** on Shabbat eve and receive the Torah just after that during twilight. Why was it necessary to delay revelation until Shabbat morning? Rabbi Yitzhak said that the verse said in that regard: “**From the first, I did not speak in concealment**” (Isaiah 48:16).^N God did not give the Torah under the cloak of night, but rather in the light of day. The Gemara asks: **And let them immerse themselves on Shabbat morning and receive the Torah on Shabbat morning**. In that case, according to all opinions, the period of separation could have begun one twelve-hour period later. Rabbi Yitzhak said: This was not done so that there would not be a situation where these, one segment of the people, would be going to receive the Torah while those, another segment of the people, would be going to immerse themselves. Optimally, the entire nation should go to receive the Torah together.

אָמַר רַבִּי חִיָּיא בְּרַבִּי אָבָא אָמַר רַבִּי
יוֹחָנָן: זֶה דְּבִרְיָ רַבִּי יִשְׁמַעֵאל וְרַבִּי
עֲקִיבָא, אָבָל חֲכָמִים אוֹמְרִים: שֵׁשׁ
עוֹנוֹת שְׁלֵמוֹת בְּעֵינֵן. אָמַר רַב חֲסִידָא:
מַחְלֻקָּתָא – שְׁפִירָשָׁה מִן הָאִשָּׁה, אָבָל
פִּירָשָׁה מִן הָאִישׁ – טְמֵאָה כָּל זְמַן שֶׁהִיא
לְחָה. מִתֵּיב רַב שֵׁשֶׁת: ”וְכָל בְּגָד וְכָל עוֹר
אֲשֶׁר יִהְיֶה עָלָיו שֹׁכֶבֶת זֶרַע” – פֶּרֶט
לְשֹׁכֶבֶת זֶרַע שֶׁהִיא סְרוּחָה. מֵאִי לָאוּ,
שְׁפִירָשָׁה מִן הָאִישׁ? לֹא, שְׁפִירָשָׁה מִן
הָאִשָּׁה.

Rabbi Hiyya, son of Rabbi Abba, said that Rabbi Yohanan said: These are the statements of Rabbi Yishmael and Rabbi Akiva. However, the Rabbis say: We require that six complete twelve-hour periods elapse between cohabitation and discharge. If a woman discharged semen less than seventy-two hours after having relations, the semen renders her ritually impure. Rav Hisda said: The dispute over how long semen renders one ritually impure is only with regard to semen that is discharged from a woman; however, if it is discharged from a man,^H e.g., it was on a garment, it is impure as long as it is moist, regardless of how much time passed since its discharge. Rav Sheshet raises an objection based on what was taught in a *baraita*: The Torah states: “**And every garment, and every hide on which there is semen shall be immersed in water, and be impure until evening**” (Leviticus 15:17). And the Sages taught: This excludes semen which is foul. What, is it not referring to semen discharged from a man, indicating that even moist semen becomes foul after a certain period of time and no longer transmits impurity? The Gemara rejects this: No, this *halakha* is referring to semen that was discharged from a woman.

NOTES

לֹא מְרִאשׁ בְּסֵתֶר – רַבִּי יִצְחָק: Rashi had a variant reading with a clearer version of this passage, which cites the verse: “I have not spoken in secret, in a

place of the land of darkness; I said not unto the seed of Jacob: Seek you Me in vain; I the Lord speak righteousness, I declare things that are right” (Isaiah 45:19).

HALAKHA

Discharged from a man – פִּירָשָׁה מִן הָאִישׁ: A seminal discharge that comes from a man remains impure even after several

twelve-hour periods have elapsed, as long as it remains moist (Rambam *Sefer Tahara*, *Hilkhot She’ar Avot HaTumot* 5:13).

HALAKHA

Semen of a Jew in the womb of a gentile woman... an animal – שֶׁל יִשְׂרָאֵל בְּמַעַי גִּיּוֹה... בְּמַעַי בְּהֵמָה – Semen of a Jewish man, if discharged by a gentile woman within three twelve-hour periods, transmits impurity. The same is true of semen of a Jewish man discharged by an animal. After three twelve-hour periods, the status of the semen with regard to impurity is uncertain. This *halakha* is based on the ruling in tractate *Nidda* (*Kesef Mishne*; Rambam *Sefer Tahara*, *Hilkhot She'ar Avot HaTumot* 5:16).

LANGUAGE

Corridor [*perozdor*] – פְּרוֹזְדוֹר: From the Greek, although there is no consensus as to its exact source. Some maintain that it is from *προστάδος*, *prostados*, genitive case of *προστάς*, *prostas*, meaning entrance or corridor. Alternatively, it may be from *πρόθυρον*, *prothuron*, which has a similar meaning. *Perozdor* is a euphemism for the vaginal canal.

BACKGROUND

Corridor [*perozdor*] – פְּרוֹזְדוֹר: *Perozdor* refers to the vaginal canal. The Gemara is not suggesting that there is no vaginal canal in animals. Rather, perhaps it is shorter in certain animals than in women.

NOTES

The same day – בַּיּוֹם הַזֶּה: The word *hodesh* is understood throughout the Bible to mean month. Occasionally, it is a reference to the New Moon. Examples include: “Tomorrow is the *hodesh*” (1 Samuel 20:18); “Its holiday, its *hodesh*, its Shabbat” (Hosea 2:13); and “The burnt-offering of the *hodesh* and its meal-offering” (Numbers 29:6). Therefore, the verse: “This *hodesh* shall be unto you the beginning of months” is understood as indicating that this New Moon is the first New Moon that the Jewish people are celebrating. In the verse describing their arrival in the desert, it is unclear whether *hodesh* refers to the month or the New Moon. It states: “In the third *hodesh* after the children of Israel went forth out of the land of Egypt” (Exodus 19:1). The emphasis on the words at the end of the verse, “on this day,” proves that it is referring to the day of the New Moon.

בְּעִי רַב פָּפָא: שֶׁכָּבַת זֶרַע שֶׁל יִשְׂרָאֵל בְּמַעַי גִּיּוֹה? מִהוּ? יִשְׂרָאֵל דְּדֹאֲגִי בְּמַצּוֹת – חֲבִיל גּוֹפִיּוּהוּ, גּוֹיִם דְּלֹא דֹאֲגִי בְּמַצּוֹת – לֹא, אוּ דִילְמָא: בֵּינוּ דְּאֶכְלִין שְׂקָצִים וְרַמְשִׁים – חֲבִיל גּוֹפִיּוּהוּ? וְאִם תִּמְצִי לומר: בֵּינוּ דְּאֶכְלִין שְׂקָצִים וְרַמְשִׁים – חֲבִיל גּוֹפִיּוּהוּ, בְּמַעַי בְּהֵמָה מִהוּ? אִשָּׁה (הִיא) דֹּאֲתָ לֶה פְּרוֹזְדוֹר – מְסַרְחָת, אֲבָל בְּהֵמָה דְּלִית לֶה פְּרוֹזְדוֹר – לֹא, אוּ דִילְמָא: לֹא שְׁנָא? – תִּיקוּ.

תָּנוּ רַבֵּנָן: בְּשִׁשִּׁי בַּחֹדֶשׁ נִתְּנָה עֲשָׂרַת הַדְּבָרוֹת לְיִשְׂרָאֵל. רַבִּי יוֹסִי אָמַר: בְּשַׁבָּעָה בּוֹ. אָמַר רַבָּא: דְּכוּלִּי עֲלָמָא – בְּרֹאשׁ חֹדֶשׁ אָתוּ לְמַדְבָּר סִינִי, כְּתִיב הֵכָּא: “בַּיּוֹם הַזֶּה בָּאוּ מִדְּבַר סִינִי” וְכָתִיב הֵתָם: “הַחֹדֶשׁ הַזֶּה לָכֶם רֹאשׁ חֳדָשִׁים”, מִה לְהֵלֶן – רֹאשׁ חֹדֶשׁ, אֵף כָּאן – רֹאשׁ חֹדֶשׁ. וְכוּלִּי עֲלָמָא – בְּשַׁבָּת נִתְּנָה תּוֹרָה לְיִשְׂרָאֵל, כְּתִיב הֵכָּא: “זָכוֹר אֶת יוֹם הַשַּׁבָּת לְקַדְּשׁוֹ” וְכָתִיב הֵתָם: “וַיֹּאמֶר מֹשֶׁה אֶל הָעָם זָכוֹר אֶת הַיּוֹם הַזֶּה”, מִה לְהֵלֶן – בְּעַצְמוֹ שֶׁל יוֹם, אֵף כָּאן – בְּעַצְמוֹ שֶׁל יוֹם. כִּי פְּלִיגִי – בְּקַבְּיָא דִּירְחָא: רַבִּי יוֹסִי סָבַר: בַּחֹדֶשׁ בְּשַׁבָּא אֵיקָבַע יְרֵחָא, וְבַחֹדֶשׁ בְּשַׁבָּא לֹא אָמַר לְהוּ וְלֹא מִיָּדִי – מִשּׁוּם חוּלְשָׁא דְּאוּרְחָא. בְּתַרִּי בְּשַׁבָּא אָמַר לְהוּ: “אֵתָם תַּהְיוּ לִי מִמְלַכְתַּ בְּהֵנִים”.

Rav Pappa raised a dilemma: What is the *halakha* with regard to semen of a Jew in the womb of a gentile woman? Do we say that since Jews are concerned about fulfilling mitzvot, due to that concern, their body temperature is hot and semen that is not absorbed becomes foul faster, in contrast to gentiles who are not concerned about fulfilling mitzvot for whom that is not the case? Or, perhaps, since gentiles eat detestable creatures and creeping animals their body temperature is also hot? And if you say that since they eat detestable creatures and creeping animals, their body temperature is hot, another dilemma can be raised: What is the *halakha* with regard to semen of a Jew in the womb of an animal? Do we say that in a woman, who has a long corridor [*perozdor*]^{1B} to her womb, the semen becomes foul; but in an animal, which does not have as long a corridor, it does not? Or perhaps it is not different, and the period of time that the semen renders one ritually impure is the same in both cases? No resolution was found for these dilemmas. Therefore, let them stand unresolved.

The Sages taught: On the sixth day of the month of Sivan, the Ten Commandments were given to the Jewish people. Rabbi Yosei says: On the seventh day of the month. Rava said: Everyone agrees that the Jews came to the Sinai desert on the New Moon, as it is written here: “In the third month after the children of Israel were gone forth out of the land of Egypt, the same day^N came they into the wilderness of Sinai” (Exodus 19:1), without elaborating what day it was. And it is written there: “This month shall be to you the beginning of months; it shall be the first month of the year to you” (Exodus 12:2). Just as there, the term “this” is referring to the New Moon, so too, here the term is referring to the New Moon. And similarly, everyone agrees that the Torah was given to the Jewish people on Shabbat, as it is written here in the Ten Commandments: “Remember the Shabbat day to keep it holy” (Exodus 20:8), and it is written there: “And Moses said to the people: Remember this day, in which you came out from Egypt, out of the house of bondage, for by strength of hand the Lord brought you out from this place; there shall be no leaven eaten” (Exodus 13:3). Just as there, the mitzva of remembrance was commanded on the very day of the Exodus, so too, here the mitzva of remembrance was commanded on the very day of Shabbat. Where Rabbi Yosei and the Sages disagree is with regard to the determination of the month, meaning which day of the week was established as the New Moon. Rabbi Yosei held: The New Moon was established on the first day of the week, and on the first day of the week He did not say anything to them due to the weariness caused by the journey. On the second day of the week, He said to them: “And you shall be to Me a kingdom of priests and a holy nation; these are the words that you shall speak to the children of Israel” (Exodus 19:6).^B

BACKGROUND

The opinions of Rabbi Yosei and the Rabbis with regard to the Revelation at Sinai – שְׁוִיטַת רַבִּי יוֹסִי וְרַבֵּנָן בְּנוּגַע לְמַתָּן תּוֹרָה –

Day of the Week	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Shabbat
Date in Sivan: Rabbi Yosei	1 The New Moon; the nation arrives in Sinai	2 Moses ascended and descended the mountain and said: “And you shall be to Me, etc.”	3 Moses ascended and descended the mountain and commanded the mitzva of setting boundaries	4 Moses ascended and descended the mountain and commanded the men to separate from their wives	5	6	7 Revelation at Sinai
Date in Sivan: The Rabbis		1 The New Moon; the nation arrives in Sinai	2 Moses ascended and descended the mountain and said: “And you shall be to Me, etc.”	3 Moses ascended and descended the mountain and commanded the mitzva of setting boundaries	4 Moses ascended and descended the mountain and commanded the men to separate from their wives	5	6 Revelation at Sinai

With regard to the command to the men to separate from their wives in preparation for the revelation, it is written: “And the Lord said to Moses: Go to the people, and sanctify them today and tomorrow, and let them wash their garments, and be ready against the third day; for the third day the Lord will come down in the sight of all the people upon Mount Sinai” (Exodus 19:10–11). According to Rabbi Yosei, Moses added an extra day of separation to the two mentioned in the verse.

בתלתא אמר להו מצות הגבלה, בארבעה עבוד פרישה. ורבנן סברי: בתרי בשבא איקבע יחא, בתרי בשבא לא אמר להו ולא מידי – משום חולשא דאורחא, בתלתא אמר להו "אתם תהיו לי". בארבעה אמר להו מצות הגבלה, בחמישי עבוד פרישה. מיתבי: "וקדשתם היום ומחר", קשיא לרבי יוסי!

אמר לך רבי יוסי: יום אחד הוסיף משה מדעתו, דתנא: שלשה דברים עשה משה מדעתו והסכים הקדוש ברוך הוא עמו: הוסיף יום אחד מדעתו, ופירש מן האשה, ושבר את הלוחות.

הוסיף יום אחד מדעתו. מאי דריש? "היום ומחר" – היום כמחר, מה למחר – לילו עמו, אף היום – לילו עמו. ולילה דהאידינא נפקא ליה. שמע מינה – תרי יומי לבר מהאידינא. ומנלן דהסכים הקדוש ברוך הוא על ידו – דלא שריא שכינה עד צפרא דשבטא.

ופירש מן האשה. מאי דריש? נשא קל וחומר בעצמו, אמר: ומה ישראל שלא דברה שכינה עמהן אלא שעה אחת, וקבע להן זמן, אמרה תורה: "והיו נכנים וגו' אל תגשו", אני שכל שעה ושעה שכינה מדברת עמי, ואינו קובע לי זמן – על אחת כמה וכמה! ומנלן דהסכים הקדוש ברוך הוא על ידו – דכתיב: "לך אמר להם שובו לכם לאהליכם", וכתיב בתריה: "ואתה פה עמד עמדי". ואית דאמרי: "פה אל פה אדבר בו".

On the third day of the week, God said to them the mitzva of setting boundaries around Mount Sinai. On the fourth day of the week, the husbands and wives separated from one another. And the Rabbis hold: On the second day of the week the New Moon was established, and on the second day of the week God did not say anything to them due to the weariness caused by their journey. On the third day of the week, God said to them: "And you shall be to Me a kingdom of priests and a holy nation; these are the words that you shall speak to the children of Israel" (Exodus 19:6). On the fourth day of the week, God said to them the mitzva of setting boundaries around Mount Sinai. On the fifth day of the week, the husbands and wives separated from one another. The Gemara raises an objection: Doesn't the verse state: "And the Lord said to Moses: Go to the people and sanctify them today and tomorrow and let them wash their garments" (Exodus 19:10), indicating that the husbands and wives were separated for only two days? This is difficult according to the opinion of Rabbi Yosei, who said earlier that the separation was for three days.

The Gemara answers: Rabbi Yosei could have said to you: Moses added one day to the number of days that God commanded based on his own perception, as it was taught in a baraita: Moses did three things based on his own perception,ⁿ and the Holy One, Blessed be He, agreed with him. He added one dayⁿ to the days of separation before the revelation at Sinai based on his own perception. And he totally separated from his wife after the revelation at Sinai. And he broke the tablets following the sin of the Golden Calf.

The Gemara discusses these cases: He added one day based on his own perception. What source did he interpret that led him to do so? He reasoned that since the Holy One, Blessed be He, said: "Sanctify them today and tomorrow," the juxtaposition of the two days teaches that today is like tomorrow; just as tomorrow the men and women will separate for that day and the night preceding it, so too, today requires separation for the day and the night preceding it. Since God spoke to him in the morning, and the night of that day already passed, Moses concluded: Derive from it that separation must be in effect for two days besides that day. Therefore, he extended the mitzva of separation by one day. And from where do we derive that the Holy One, Blessed be He, agreed with his interpretation? It is derived from the fact that the Divine Presence did not rest upon Mount Sinai until Shabbat morning, as Moses had determined.

And he totally separated from his wife after the revelation at Sinai. What source did he interpret that led him to do so? He reasoned an a fortiori inference by himself and said: If Israel, with whom the Divine Presence spoke only one time and God set a specific time for them when the Divine Presence would be revealed, and yet the Torah stated: "Prepare yourselves for three days, do not approach a woman" (Exodus 19:15); I, with whom the Divine Presence speaks all the time and God does not set a specific time for me, all the more so that I must separate from my wife. And from where do we derive that the Holy One, Blessed be He, agreed with him? As it is written after the revelation at Sinai: "Go say to them: Return to your tents" (Deuteronomy 5:26), meaning to your homes and wives. And afterward it is written that God told Moses: "And you, stand here with Me" (Deuteronomy 5:27), indicating that Moses was not allowed to return home, as he must constantly be prepared to receive the word of God. And some say a different source indicating that God agreed with his reasoning. When Aaron and Miriam criticized Moses' separation from his wife, God said: "With him do I speak mouth to mouth, even manifestly, and not in dark speeches; and the similitude of the Lord does he behold; why then were you not afraid to speak against My servant, against Moses?" (Numbers 12:8). This indicates that God agreed with his reasoning.

NOTES

Moses did three things based on his own perception – שלשה דברים עשה משה מדעתו – This statement was explained in different ways. Some commentaries suggest that God did not command Moses with regard to these three matters because it was revealed before Him that it was unnecessary. Clearly, a woman will not be impure when discharging semen on the third day, God would not communicate with Moses when he was impure, and the children of Israel would repent. Nevertheless, since it is beyond the purview of man to know the precise parameters of these matters, Moses instituted additional stringencies to ensure that no prohibitions would be violated. He received divine approval for those stringencies (Rabbi Elazar Moshe Horowitz). Rashi explains that Moses was able to take the initiative on these matters only because the Divine Presence rested upon him at all times. It is prohibited for others to do so.

He added one day – הוסיף יום אחד: The question can be raised: If he arrived at this conclusion by expounding upon the command of God, and if all of God's statements were given to Israel for the purpose of expounding upon them, why is this considered to have been based on his own perception? Although God was aware that Moses could arrive at this conclusion and he gave him leeway to do so, he was in no way required to do so, and he could have concluded that an additional day was unnecessary (Ramban).

NOTES

Which you broke [*asher shibarta*] – אשר שברת: The proof from the words, “which you broke” is merely a support for the conclusion but not an absolute proof. There are several instances in the Bible where the word *asher* is not interpreted as approval. Some commentaries explain that the conclusion that God agreed with Moses is drawn from the fact that God mentioned the breaking of the tablets without anger (Rashi). Alternatively, God’s agreement can be ascertained from His later command that Moses store the broken tablets in the Ark. He would not have commanded Moses to do so had they been associated with an infraction that incurred God’s disapproval (Rashbam).

BACKGROUND

Wormwood [*gidin*] – גידין: According to the translations, apparently *gida* or *gidra* is wormwood. There is no certainty regarding the identity of this plant in the Bible. However, clearly its taste is extremely bitter and it may even be poisonous. Some identify it as the *Securigera coronilla*.

שבר את הלוחות. מאי דריש? אמר: ומה פסח שהוא אחד מתרי"ג מצות, אמרה תורה: "וכל בן נכר לא יאכל בו", התורה כולה [כאן]. וישראל משומדים – על אחת כמה וכמה! ומנלן דהסכים הקדוש ברוך הוא על ידו – שנאמר: "אשר שברת" ואמר ריש לקיש: יישר כחך ששברת.

תא שמע: "והיו נכנים ליום השלישי", קשיא לרבי יוסי! הא אמרין: יום אחד הוסיף משה מדעתו. תא שמע: 'שלישי' – שלישי בחדש, ושלישי בשבת. קשיא לרבנן! אמרי לך רבנן: הא מני – רבי יוסי היא.

'שלישי' למאי – לכדתנא: "וישב משה את דברי העם אל ה'", וכתוב: "ויגד משה את דברי העם אל ה'".

מה אמר לו הקדוש ברוך הוא למשה, ומה אמר להם משה לישראל, ומה אמרו ישראל למשה, ומה השיב משה לפני הגבורה? זו מצות הגבלה, דברי רבי יוסי בר יהודה. רבי אומר: בתחילה פירש עונשה, דכתבי: "וישב משה" – דברים שמשבבין דעתו של אדם, ולבסוף פירש מתן שכרה – דכתבי: "ויגד משה" – דברים שמושכין לבו של אדם כאגדה. ואיכא דאמרי: בתחילה פירש מתן שכרה, דכתבי: "וישב משה" – דברים שמשביבין דעתו של אדם, ולבסוף פירש עונשה – דכתבי: "ויגד משה" – דברים שקשיין לאדם כגידין.

תא שמע 'ששי' – ששי בחדש, ששי בשבת, קשיא לרבנן! הא נמי רבי יוסי היא. 'ששי' למאי? רבא אמר:

And he broke the tablets following the sin of the Golden Calf. What source did he interpret that led him to do so? Moses said: With regard to the Paschal lamb, which is only one of six hundred and thirteen mitzvot, the Torah stated: "And the Lord said unto Moses and Aaron: This is the ordinance of the Paschal offering; no alien shall eat of it" (Exodus 12:43), referring not only to gentiles, but to apostate Jews as well. Regarding the tablets, which represented the entire Torah, and Israel at that moment were apostates, as they were worshipping the calf, all the more so are they not worthy of receiving the Torah. And from where do we derive that the Holy One, Blessed be He, agreed with his reasoning? As it is stated: "The first tablets which you broke [*asher shibarta*]"ⁿ (Exodus 34:1), and Reish Lakish said: The word *asher* is an allusion to the phrase: May your strength be true [*yishar kohakha*] due to the fact that you broke the tablets.

Come and hear an additional difficulty from the verse: "And be prepared for the third day, for on the third day God will descend onto Mount Sinai before the eyes of the entire nation" (Exodus 19:11). This indicates that God said that the Torah would be given on the third day after two days of separation. This is difficult according to the opinion of Rabbi Yosei. The Gemara answers: Didn't we say that Moses added one day based on his own perception? Come and hear a proof against this from what was taught in a *baraita*. That which is stated in the Torah: "For on the third day," means the third day of the month and the third day of the week. Apparently, the New Moon was on Sunday. This is difficult according to the opinion of the Rabbis. The Gemara answers: The Rabbis could have said to you: Whose is the opinion in this *baraita*? It is the opinion of Rabbi Yosei. Therefore, this *baraita* poses no difficulty to the opinion of the Rabbis.

According to the opinion of the Rabbis, that day was the third day of what reckoning? As it was taught in a *baraita*: It is written: "And Moses reported the words of the people to the Lord" (Exodus 19:8). And it is written immediately thereafter: "And God said to Moses: Behold I will come to you in a thick cloud so that the people will hear when I speak with you, and they will also believe in you forever. And Moses told the words of the people to the Lord" (Exodus 19:9).

The Gemara asks: What did the Holy One, Blessed be He, say to Moses, and what did Moses say to Israel, and what did Israel say to Moses, and what did Moses report to the Almighty? The verses do not elaborate on the content of God's command to Moses, which Moses then told the people and which they accepted. It must be that this refers to the mitzva of setting boundaries, which Moses told the people and which they accepted. He then went back and reported to God that the people accepted the mitzva; this is the statement of Rabbi Yosei bar Yehuda. Rabbi Yehuda HaNasi says: At first, he explained the punishment and the hardship involved in receiving the Torah, as it is written: "And Moses reported [*vaya-shev*]," which is interpreted homiletically as: Matters that shatter [*meshabbevin*] (Rav Hai Gaon) a person's mind; and, ultimately, he explained its reward, as it is written: "And Moses told [*vayag-ged*]," which is interpreted homiletically as: Matters that draw a person's heart like *aggada*. And some say that at first, he explained its reward, as it is written: "And Moses reported," which is interpreted homiletically as: Matters that restore [*meshivin*] and calm a person's mind; and ultimately, he explained its punishment, as it is written: "And Moses told," matters that are as difficult for a person as wormwood [*gidin*].^b

Come and hear a proof from that which was taught in a *baraita*: The sixth was the sixth day of the month and the sixth day of the week. This is also difficult according to the opinion of the Rabbis. The Gemara answers: This *baraita* is also according to the opinion of Rabbi Yosei. But if so, according to the opinion of the Rabbis, that day was the sixth day of what reckoning? Rava said:

לחנייתן. רב אחא בר יעקב אמר: למסען. וקמילג' בשבת דמרה, דכתיב: "באשר צוה ה' אליהם" ואמר רב יהודה אמר רב: "באשר צוה" - במרה. מר סבר: אשבת איפקוד, ומר אתחומין לא איפקוד. ומר סבר: אתחומין נמי איפקוד.

the sixth day from their encampment. Rav Aha bar Ya'akov said: The sixth day from the start of their journey. They left Refidim and arrived and camped in the desert on the same Shabbat. And Rava and Rav Aha bar Ya'akov disagree with regard to the mitzva of Shabbat commanded to the Jewish people at Mara, as it is written in the fourth commandment: "Observe the Shabbat day to keep it holy as the Lord your God commanded you" (Deuteronomy 5:11). And Rav Yehuda said that Rav said: As He commanded you in Mara, as it is stated: "There He made for him a statute and an ordinance, and there He proved him" (Exodus 15:25). Their dispute was: One Master held: They were commanded about Shabbat, but they were not commanded about Shabbat boundaries. Therefore, it was permitted to travel from Refidim on Shabbat, because the restriction of Shabbat boundaries was not yet in effect. And one Master held: They were also commanded about the boundaries, and therefore, it was prohibited to leave Refidim on Shabbat.

תא שמע: ניסן שבו יצאו ישראל ממצרים בארבעה עשר שחטו פסחיהם, ובחמשה עשר יצאו, ולערב לקו בכורות. 'לערב' סלקא דעתך? אלא: 'מבערב' לקו בכורות. ואותו היום חמישי בשבת היה. מדחמיסר בניסן חמשה בשבת - ריש ירחא דאייר שבתא. וריש ירחא דסיון - חד בשבת. קשיא לרבנן!

Come and hear an additional proof with regard to the day of the revelation at Sinai from what was taught in a *baraita*: In the month of Nisan during which the Jewish people left Egypt,⁸ on the fourteenth, they slaughtered their Paschal lambs; on the fifteenth, they left Egypt; and in the evening, the firstborn were stricken. The Gemara asks: Does it enter your mind to say that they were stricken in the evening? Was the Plague of the Firstborn after the Jews left Egypt? Rather, say that the evening before, the firstborn were stricken. And that day was the fifth day of the week. From the fact that the fifteenth of Nisan was a Thursday, the New Moon of Iyyar was Shabbat, as Nisan is typically thirty days long. And the New Moon of Sivan was on the first day of the week, as Iyyar is typically twenty-nine days long. This is difficult according to the opinion of the Rabbis, who hold that the New Moon of Sivan that year was on Monday.

אמרי לך רבנן: אייר דהדיא שתא - עבורי עברוה. תא שמע דלא עברוה: ניסן שבו יצאו ישראל ממצרים בארבעה עשר שחטו פסחיהם, בחמשה עשר יצאו, ולערב לקו בכורות. 'לערב' סלקא דעתך? אלא: 'מבערב' לקו בכורות. ואותו היום חמישי בשבת היה, השלים ניסן, ואירע אייר להיות בשבת.

The Gemara answers: The Rabbis could have said to you that a day was added to Iyyar that year and it was thirty days long. The New Moon was determined by testimony of witnesses who saw the new moon, together with astronomical calculations that the testimony was feasible. Therefore, Iyyar could be thirty days long. If that was the case, the New Moon of Sivan was on Monday. Come and hear an objection from what was taught in a different *baraita* that they did not add a day to Iyyar that year, as the Sages taught: In the month of Nisan during which the Jewish people left Egypt, on the fourteenth, they slaughtered their Paschal lambs; on the fifteenth, they left Egypt; and in the evening, the firstborn were stricken. The Gemara asks: Does it enter your mind to say that they were stricken in the evening? Was the Plague of the Firstborn after the Jews left Egypt? Rather, say that the evening before, the firstborn were stricken. And that day was the fifth day of the week. Nisan was complete, i.e., it was thirty days long, and the New Moon of Iyyar occurred on a Shabbat.

BACKGROUND

The year of the Exodus – שנת יציאת מצרים:

Nisan	Iyyar	Sivan
<i>Mekhilta Seder Olam</i>	<i>Mekhilta Seder Olam</i>	<i>Mekhilta Seder Olam</i>
1 Thurs Fri	1 Shabbat Sun	1 Sun Mon
2 Fri Shabbat	2 Sun Mon	2 Mon Tues
3 Shabbat Sun	3 Mon Tues	3 Tues Wed
4 Sun Mon	4 Tues Wed	4 Wed Thurs
5 Mon Tues	5 Wed Thurs	5 Thurs Fri
6 Tues Wed	6 Thurs Fri	6 Fri Shabbat
7 Wed Thurs	7 Fri Shabbat	7 Shabbat
8 Thurs Fri	8 Shabbat Sun	
9 Fri Shabbat	9 Sun Mon	
10 Shabbat Sun	10 Mon Tues	
11 Sun Mon	11 Tues Wed	
12 Mon Tues	12 Wed Thurs	
13 Tues Wed	13 Thurs Fri	
14 Wed Thurs	14 Fri Shabbat	
15 Thurs Fri	15 Shabbat Sun	
16 Fri Shabbat	16 Sun Mon	
17 Shabbat Sun	17 Mon Tues	
18 Sun Mon	18 Tues Wed	
19 Mon Tues	19 Wed Thurs	
20 Tues Wed	20 Thurs Fri	
21 Wed Thurs	21 Fri Shabbat	
22 Thurs Fri	22 Shabbat Sun	
23 Fri Shabbat	23 Sun Mon	
24 Shabbat Sun	24 Mon Tues	
25 Sun Mon	25 Tues Wed	
26 Mon Tues	26 Wed Thurs	
27 Tues Wed	27 Thurs Fri	
28 Wed Thurs	28 Fri Shabbat	
29 Thurs Fri	29 Shabbat Sun	
30 Fri Shabbat	30 Sun Mon	

This table illustrates the opinion of the *baraita* in *Seder Olam*, which is in accordance with the opinion of the Rabbis. If the months are calculated in their typical configuration, the day of the Revelation at Sinai would fall out on the sixth of Sivan. Even assuming that the Exodus was on Thursday, the New Moon of Sivan could still have been on Monday and the Revelation at Sinai on Shabbat, the sixth of Sivan, if one asserts that Iyyar that year was a thirty-day month.

Establishing the months – קביעת החודשים: On the calendar used by the *amora'im*, the spring and summer months had fixed numbers of days. Nisan had thirty days, Iyyar had twenty-nine. In earlier generations, until the fourth century, the New Moon was established based on the testimony of witnesses who saw the new moon, and the number of days in each month was not fixed. Therefore, it was possible for the month of Iyyar to be a month of thirty days.

The first time that consecrated foods were eaten – ראשון לאכילת קדשים: The eating of consecrated items is underscored here because the offering of sacrifices predated the dedication of the Sanctuary by thousands of years, beginning notably with the sacrifices of Cain and Abel and continuing throughout the generations. However, the eating of consecrated items was introduced to the Jewish people with the command of the peace-offerings that coincided with the dedication of the Tabernacle. In addition, although priests were eating their portions from the sacrifices of the most sacred order, the sin-offerings from their inauguration prior to the dedication, the eighth day of the inauguration was the first day when portions of sacrifices of lesser sanctity were eaten.

The opinion of Aherim – שיטת אהרים: According to the opinion of *Aherim*, the number of days in each month is fixed, with thirty-day months alternating with twenty-nine-day months. The New Moon following each twenty-nine-day month is one weekday later than the previous New Moon, and the New Moon following each thirty-day month is two weekdays later. Since, in a typical year, there are six twenty-nine-day months and six thirty-day months, the days of the New Moon advance a total of eighteen days, which are two weeks and four days. In a leap year, the additional Adar is twenty-nine days, bringing the total to nineteen days, or two weeks and five days. As a result, in a leap year, Rosh HaShana falls five weekdays later than it did the previous year.

HALAKHA

The order of the months – סדר החודשים: The *halakha* was not ruled in accordance with the opinion of *Aherim*, and the months of the year follow a fixed order, alternating between thirty-day and twenty-nine-day months, beginning only in Tevet. A year may have as many as seven twenty-nine-day months, if Kislev is lacking, or as few as five incomplete months, if Marḥeshvan is full (*Tur, Orach Hayyim* 428).

חסר אייר, ואירע סיון להיות באחד בשבת, קשיא לרבנן! הא מני רבי יוסי היא.

אמר רב פפא, תא שמע: "ויסעו מאלים ויבאו כל עדת בני ישראל וגו' בחמשה עשר יום לחדש השני" ואותו היום שבת היה, דכתיב: "ובקר וראיתם את כבוד ה'", וכתיב: "ששת ימים תלקטוהו". ומדחמיסר באייר שבתא – ריש ירחא דסיון חד בשבת, קשיא לרבנן! אמרי לך רבנן: אייר דההיא שתא עבורי עבודה.

אמר ליה רב חביבי מחזנא לרב אשי: תא שמע, "ויהי בחדש הראשון בשנה השנית באחד לחדש הוקם המשכן" תנא: אותו יום נטל עשר עטרות; ראשון למעשה בראשית, ראשון לנשיאים, ראשון לכהונה, ראשון לעבודה, ראשון לירידת האש, ראשון לאכילת קדשים, ראשון לשכון שכינה, ראשון לברך את ישראל, ראשון לאיסור הבמות, ראשון לחדשים. ומדריש ירחא דניסן דהאי שתא חד בשבת – דאשתקד [ברביעי] בשבת;

דתנא, אחרים אומרים: אין בין עצרת לעצרת, ואין בין ראש השנה לראש השנה אלא ארבעה ימים בלבד, ואם הייתה שנה מעוברת – חמשה. הוה ליה ריש ירחא דאייר – מעלי שבתא, וריש ירחא דסיון – שבתא, קשיא בין לרבי יוסי בין לרבנן! לרבי יוסי – שבעה חסרין עבוד,

Iyyar was lacking, i.e., it was twenty-nine days long, and the New Moon of Sivan occurred on the first day of the week. This is difficult according to the opinion of the Rabbis. The Gemara answers: Whose is the opinion in this *baraita*? It is the opinion of Rabbi Yosei. Therefore, this *baraita* poses no difficulty to the opinion of the Rabbis.

Rav Pappa said: Come and hear a different proof from another verse, as it is stated: "And they took their journey from Elim, and all the congregation of the children of Israel came unto the wilderness of Sin, which is between Elim and Sinai, on the fifteenth day of the second month after their departing out of the land of Egypt" (Exodus 16:1). And that day was Shabbat, as it is written: "And in the morning, then you shall see the glory of the Lord; for He has heard your murmurings against the Lord; and what are we, that you murmur against us?" (Exodus 16:7). The next day the glory of God was revealed, and He told them that in the afternoon the manna and quail would begin to fall, and it is written: "Six days you shall gather it; but on the seventh day is Sabbath, there shall be none in it" (Exodus 16:26). Apparently, the first six days after this command were weekdays on which the manna fell, and the fifteenth of Iyyar was Shabbat. And from the fact that the fifteenth of Iyyar was Shabbat, the New Moon of Sivan was on the first day of the week. This is difficult according to the opinion of the Rabbis. The Gemara answers: According to the Rabbis, a day was added to Iyyar that year and it was thirty days long.^N Therefore, the New Moon of Sivan was on Monday.

Rav Havi from Hozena'a said to Rav Ashi: Come and hear a different proof from the following verse: "And it came to pass in the first month in the second year, on the first day of the month, that the tabernacle was erected" (Exodus 40:17). It was taught: That day took ten crowns. It was the first day of Creation, meaning Sunday, the first day of the offerings brought by the princes, the first day of the priesthood, the first day of service in the Temple, the first time for the descent of fire onto the altar, the first time that consecrated foods were eaten,^N the first day of the resting of the Divine Presence upon the Jewish people, the first day that the Jewish people were blessed by the priests, and the first day of the prohibition to bring offerings on improvised altars. Once the Tabernacle was erected, it was prohibited to offer sacrifices elsewhere. And it was the first of the months. And from the fact that the New Moon of Nisan of that year was on the first day of the week, in the previous year, it was on the fourth day of the week.

As it was taught in a *baraita*, *Aherim* say:^N Between the festival of Assembly, i.e., *Shavuot*, of one year and the festival of Assembly of the following year, and similarly, between Rosh HaShana of one year and Rosh HaShana of the following year, there is only a difference of four days of the week. And if it was a leap year, there is a difference of five days between them. There are three hundred and fifty four days in a year, which are divided into twelve months, six months that are thirty days long and six months that are twenty-nine days long.^{HB} If the New Moon of Nisan was on Wednesday, the New Moon of Iyyar was on Shabbat eve, and the New Moon of Sivan was on Shabbat. This is difficult both according to Rabbi Yosei, who holds that the New Moon of Sivan was on Sunday, and according to the Rabbis, who hold it was on Monday. The Gemara answers: Both Rabbi Yosei and the Rabbis disagree with *Aherim*. According to Rabbi Yosei, they established seven months that were lacking in the first year, i.e., seven months that were twenty-nine days long,

BACKGROUND

The days of the year – ימי השנה: Our calendar is not calculated in accordance with the opinion of *Aherim*. Practically speaking, the calculations are made based on the seasons and the vernal and autumnal equinoxes, which determine the dates on the solar calendar and influence when the festivals occur. In addition, there are halakhic and other reasons for adjusting the calendar, and Rosh HaShana is sometimes postponed so that it falls a day or two after the moon becomes visible in the sky. There is no set number of days in each month, and consequently, there is no set

number of days of the year. The months during which changes may be introduced are Marḥeshvan and Kislev. Sometimes they are both twenty-nine days long, while other times they are both thirty days long; and sometimes, one is twenty-nine days long and the other is thirty days long. In non-leap years, the Jewish calendar year can be 353, 354, or 355 days. When the months were sanctified based on the testimony of eyewitnesses, even larger fluctuations were possible, as any of the months could be twenty-nine or thirty days long.

לרבנן – שמונה חסרים עבוד.

תא שמע, דתנא בסדר עולם: ניסן שבו
יצאו ישראל ממצרים בארבעה עשר
שחטו פסחיהן, בחמשה עשר יצאו,
ואותו היום ערב שבת היה, ומדריש
ירחא דניסן ערב שבת ריש ירחא דאייר
חד בשבא, וסיון בתרי בשבא, קשיא
לרבי יוסי! אמר לך רבי יוסי: הא מני –
רבנן היא.

תא שמע, רבי יוסי אומר: בשני עלה משה
וירד, בשלישי עלה וירד, ברביעי ירד
ושוב לא עלה. ומאחר שלא עלה מהיכן
ירד? אלא: ברביעי עלה וירד, בחמישי
בנה מזבח והקריב עליו קרבן, בששי לא
היה לו פנאי. מאי לאו – משום תורה?

לא, משום טורח שבת. דרש ההוא
גלילאה עליה דרב חסדא: בריך רחמנא
דיהב אוריין תליתאי לעם תליתאי,
על ידי תליתאי, ביום תליתאי, בירחא
תליתאי, במאן – ברבנן.

ויתיצבו בתחתית ההר אמר רב
אבדימי בר חמא בר חסדא: מלימד שכפה
הקדוש ברוך הוא עליהם את ההר
בגזית, ואמר להם: אם אתם מקבלים
התורה – מוטב, ואם לאו – שם תהא
קבורתכם. אמר רב אחא בר יעקב: מכאן
מודעא רבה לאורייתא. אמר רבא: אף
על פי כן, הדור קבלוה בימי אחשורוש.
דכתיב: "קִימוּ וְקִבְּלוּ הַיְּהוּדִים", קימו
מה שקיבלו כבר.

and according to the Rabbis, they established eight months that were lacking.

The Gemara cites another objection. Come and hear that which was taught in a *baraita* in the anthology called *Seder Olam*: In the month of Nisan during which the Jewish people left Egypt, on the fourteenth they slaughtered their Paschal lambs, on the fifteenth they left Egypt, and that day was Shabbat eve. From the fact that the New Moon of Nisan was on Shabbat eve, we can infer that the New Moon of Iyyar was on the first day of the week, and the New Moon of Sivan was on the second day of the week. This is difficult according to the opinion of Rabbi Yosei, who holds that the New Moon of Sivan was on Sunday. The Gemara answers that Rabbi Yosei could have said to you: Whose is the opinion in this *baraita*? It is the opinion of the Rabbis. Therefore, this *baraita* poses no difficulty to the opinion of the Rabbi Yosei.

The Gemara cites another objection: Come and hear from that which was taught, that Rabbi Yosei says: On the second day of Sivan, Moses ascended Mount Sinai and descended. On the third day, he ascended and descended. On the fourth day, he descended and did not ascend Mount Sinai again until he was commanded along with all of the Jewish people. And the Gemara asks: How is it possible that he descended on the fourth day? Since he did not ascend, from where did he descend? Rather, this must be emended: On the fourth day, he ascended and descended. On the fifth day, he built an altar and sacrificed an offering. On the sixth day, he had no time. The Gemara asks: Is that not because he received the Torah on the sixth day of the month? Apparently, this *baraita* supports the opinion of the Rabbis.

The Gemara rejects this: No, he had no time due to the burden of preparing for Shabbat. The Gemara adds: A Galilean taught, while standing above Rav Hisha: Blessed is the all-Merciful One, Who gave the three-fold Torah:ⁿ Torah, Prophets, and Writings, to the three-fold nation: Priests, Levites, and Israelites, by means of a third-born: Moses, who followed Aaron and Miriam in birth order, on the third day of the separation of men and women, in the third month: Sivan. On whose opinion is this homily based? It is based on the opinion of the Rabbis, who hold that the Torah was given on the third day of separation and not on the fourth day.

The Gemara cites additional homiletic interpretations on the topic of the revelation at Sinai. The Torah says, "And Moses brought forth the people out of the camp to meet God; and they stood at the lowermost part of the mount" (Exodus 19:17). Rabbi Avdimi bar Hama bar Hasa said: the Jewish people actually stood beneath the mountain, and the verse teaches that the Holy One, Blessed be He, overturned the mountain above the Jews like a tub, and said to them: If you accept the Torah, excellent, and if not, there will be your burial. Rav Aha bar Ya'akov said: From here there is a substantial caveat to the obligation to fulfill the Torah.ⁿ The Jewish people can claim that they were coerced into accepting the Torah, and it is therefore not binding. Rava said: Even so, they again accepted it willingly in the time of Ahasuerus, as it is written: "The Jews ordained, and took upon them, and upon their seed, and upon all such as joined themselves unto them" (Esther 9:27), and he taught: The Jews ordained what they had already taken upon themselves through coercion at Sinai.

NOTES

Three-fold Torah – אוריין תליתאי: Different theories have been offered regarding the significance of the number three. One opinion says that it is an allusion to the verse: "A three-fold thread is not easily broken" (Ecclesiastes 4:12; *Yefe Toar*). The midrash adds other sets of three to this list: Moses' name has three letters, and Moses' tribe is Levi, which also has three letters. With regard to the three-fold Torah, beyond the simple meaning of the text, some commentaries explained that there are three additional manners in which the Torah may be interpreted:

Homiletic interpretation, allusion, and esoterica (*Divrei Shaul*). Additionally, the passage might be an allusion to the Written Torah, the Oral Torah, and the Esoteric Torah (*Ein Ya'akov*).

A substantial caveat to the obligation to fulfill the Torah – מודעא רבה לאורייתא: Rashba challenges this argument. If this is the case, why were the Jewish people punished and exiled from their land for having violated the Torah (see *Tosafot*)? He explains that certainly the Jews' continued existence in Eretz

Yisrael is contingent on their fulfillment of the Torah's commandments. In other words, it is explained that holding the uprooted mountain like a tub over their heads alludes to the abundance of love that God bestowed upon the Jewish people during the Exodus, in giving them the manna, etc. In response, the people said: "We will do, and we will hear." Still, in their hearts the people did not accept the Torah on behalf of later generations, for whom life would proceed naturally, without the revelation of constant miracles.

אמר חזקיה, מאי דכתיב: "משמים השמעת דין ארץ יראה ושקטה" אם יראה למה שקטה, ואם שקטה למה יראה? אלא: בתחילה – יראה, ולבסוף – שקטה. ולמה יראה – בדריש לקיש, דאמר ריש לקיש, מאי דכתיב: "ויהי ערב ויהי בקר יום הששי", ה' יתירה למה לי? מלמד שהתנה הקדוש ברוך הוא עם מעשה בראשית, ואמר להם: אם ישראל מקבלים התורה – אתם מתקיימין, ואם לאו – אני מחזיר אתכם לתוהו ובוהו.

דרש רבי סימאי: בשעה שהקדימו ישראל 'נעשה' ל'נשמע', באו ששים ריבוא של מלאכי השרת, לכל אחד ואחד מישראל קשרו לו שני כתרים, אחד כנגד 'נעשה' ואחד כנגד 'נשמע'. וכיון שחטאו ישראל, ירדו מאה ועשרים ריבוא מלאכי חבלה, ופירקום. שנאמר: "ויתנצלו בני ישראל את עדים מהר חורב". אמר רבי חמא ברבי חנינא: בחורב טענו, בחורב פרקו. בחורב טענו – בדאמרו, בחורב פרקו – דכתיב: "ויתנצלו בני ישראל וגו'". אמר רבי יוחנן: וכולן זכה משה ונטלן, דסמיך ליה: "ומשה יקח את האלה". אמר ריש לקיש: עתיד הקדוש ברוך הוא להחזיר לנ, שנאמר: "ופדוי ה' ישבון ובאו ציון ברנה ושמחת עולם על ראשם" – שמחה שמועולם על ראשם.

Hizkiya said: What is the meaning of that which is written: "You caused sentence to be heard from heaven; the earth feared, and was silent" (Psalms 76:9)? If it was afraid, why was it silent; and if it was silent, why was it afraid? Rather, the meaning is: At first, it was afraid, and in the end, it was silent. "You caused sentence to be heard from heaven" refers to the revelation at Sinai. And why was the earth afraid? It is in accordance with the statement of Reish Lakish, as Reish Lakish said: What is the meaning of that which is written: "And there was evening and there was morning, the sixth day" (Genesis 1:31)? Why do I require the superfluous letter *heh*, the definite article, which does not appear on any of the other days? It teaches that the Holy One, Blessed be He, established a condition with the act of Creation, and said to them: If Israel accepts the Torah on the sixth day of Sivan, you will exist; and if they do not accept it, I will return you to the primordial state of chaos and disorder. Therefore, the earth was afraid until the Torah was given to Israel, lest it be returned to a state of chaos. Once the Jewish people accepted the Torah, the earth was calmed.

Rabbi Simai taught: When Israel accorded precedence to the declaration "We will do" over the declaration "We will hear," 600,000 ministering angels came and tied two crowns to each and every member of the Jewish people, one corresponding to "We will do" and one corresponding to "We will hear." And when the people sinned with the Golden Calf, 120,000 angels of destruction descended and removed them from the people, as it is stated in the wake of the sin of the Golden Calf: "And the children of Israel stripped themselves of their ornaments from Mount Horeb onward" (Exodus 33:6). Rabbi Hama, son of Rabbi Hanina, said: At Horeb they put on their ornaments, and at Horeb they removed them. The source for this is: At Horeb they put them on, as we have said; at Horeb they removed them, as it is written: "And the children of Israel stripped themselves of their ornaments from Mount Horeb." Rabbi Yohanan said: And Moses merited all of these crowns and took them. What is the source for this? Because juxtaposed to this verse, it is stated: "And Moses would take the tent [*ohel*]" (Exodus 33:7). The word *ohel* is interpreted homiletically as an allusion to an aura or illumination [*hila*]. Reish Lakish said: In the future, the Holy One, Blessed be He, will return them to us, as it is stated: "And the ransomed of the Lord shall return, and come with singing unto Zion, and everlasting joy shall be upon their heads" (Isaiah 35:10). The joy that they once had will once again be upon their heads.

אמר רבי אלעזר: בשעה שהקדימו ישראל 'נעשה' ל'נשמע', יצתה בת קול ואמרה להן: מי גילה לבני ר' זה שמלאכי השרת משתמשין בו? דכתיב: "ברכו ה' מלאכיו גברי כח עשי דברו לשמע בקול דברו", ברישא 'עשי', והדר 'לשמע'. אמר רבי חמא ברבי חנינא. מאי דכתיב: "כתפוח בעצי היער וגו'" למה נמשלו ישראל לתפוח – לומר לך: מה תפוח זה פרוי קודם לעליו, אף ישראל – הקדימו נעשה ל'נשמע'.

Rabbi Elazar said: When the Jewish people accorded precedence to the declaration "We will do" over "We will hear," a Divine Voice emerged and said to them: Who revealed to my children this secret that the ministering angels use? As it is written: "Bless the Lord, you angels of His, you mighty in strength, that fulfill His word, hearken unto the voice of His word" (Psalms 103:20). At first, the angels fulfill His word, and then afterward they hearken. Rabbi Hama, son of Rabbi Hanina, said: What is the meaning of that which is written: "As an apple tree among the trees of the wood,"ⁿ so is my beloved among the sons. Under its shadow I delighted to sit and its fruit was sweet to my taste" (Song of Songs 2:3)? Why were the Jewish people likened to an apple tree? It is to tell you that just as this apple tree, its fruit⁸ grows before its leaves, so too, the Jewish people accorded precedence to "We will do" over "We will hear."

ההוא מינא דחזויה לרבא דקא מעיין בשמעתא, ויתבה אצבעתא ידיה תותי פרעא, וקא מיץ בהו, וקא מבוען אצבעתיה דמא. אמר ליה: עמא פזיזא דקדמיתו פומיכו לאודניכו, אפתי בפחזותיכו קיימיתו! ברישא איבעיא לכו למשמע, אי מציתו – קבליתו, ואי לא – לא קבליתו. אמר ליה: אן

The Gemara relates that a heretic saw that Rava was immersed in studying *halakha*, and his fingers were beneath his leg and he was squeezing them, and his fingers were spurting blood. Rava did not notice that he was bleeding because he was engrossed in study. The heretic said to Rava: You impulsive nation, who accorded precedence to your mouths over your ears. You still bear your impulsiveness, as you act without thinking. You should listen first. Then, if you are capable of fulfilling the commands, accept them. And if not, do not accept them. He said to him: About us,

NOTES

As an apple tree among the trees of the wood – כתפוח בעצי היער – Tosafot asked: What proof with regard to the children of Israel does the Gemara cite from the verse: "As an apple tree among the trees of the wood, so is my beloved among the sons"? The allusion in the verse is to God. Some commentaries explain that the verse praises the Jewish people for choosing God even though the other nations rejected Him.

BACKGROUND

The apple tree and its fruit – התפוח ופריו: Most native species of apple trees blossom before the leaves sprout, or at least before the entire tree is covered with leaves. The Sages referred to this phenomenon when they said that the beginning of the tree's fruit, meaning the blossoms, precedes its leaves. Different versions of this Gemara state explicitly that its blossoming precedes its leaves.

דְּסִינָן בְּשִׁלְמוּתָא – דְּתִיב בֵּן: “תִּמְתּוּ יִשְׂרָאֵל
תִּנְחָם” הֵנָּה אֵינִשִּׁי דְּסִינָן בְּעִלְלוּתָא – דְּתִיב
בְּהוּ: “וְסִלְףּ בּוֹגְדִים יִשְׂדֵּם”.

אָמַר רַבִּי שְׁמוּאֵל בַּר נַחֲמָנִי אָמַר רַבִּי יוֹנָתָן,
מֵאֵי דְּתִיב: “לִבְבִתְּנִי אַחֲזִית כְּלָה לִבְבִּתְּנִי
בְּאַחַת מֵעֵינַיךָ”, בְּתַחֲוִילָהּ – “בְּאַחַת
מֵעֵינַיךָ” לְכַשְׁתַּעֲשִׂי – בְּשֵׁתִי עֵינֶיךָ. אָמַר
עוּלָא: עֲלוּבָה כְּלָה מְזוּנָה בְּתוֹךְ חוּפְתָּה.
אָמַר רַב מְרִי בְּרָה דְּבַת שְׁמוּאֵל: מֵאֵי קָרָא –
“עַד שֶׁהִמְלִיךְ בְּמִסְבּוֹ נְרִדִי וגו’”. אָמַר רַב:
וְעֵדִין חֲבִיבוּתָא הִיא גְבִין, דְּתִיב: “נָתַן
וְלֹא כָתַב ‘הַסְרִיחַ’ תָּנוּ רַבָּנִן: עֲלוּבִין וְאִינָן
עוֹלְבִין, שׁוֹמְעִין חֲרָפְתָּן וְאִינָן מְשִׁיבִין, עוֹשִׂין
מֵאַהֲבָה וְשׂוֹמְחִין בִּישׁוּרִין – עֲלִיָּהּ הַכְּתוּב
אוֹמֵר: “וְאֵהָבִיו כְּצֶאֱתַת הַשֶּׁמֶשׁ בְּגִבְרָתוֹ”.

אָמַר רַבִּי יוֹחָנָן, מֵאֵי דְּתִיב: “ה’ יִתֵּן אִמְרוֹ
הַמְבַשְּׂרוֹת צָבָא רַב” – כָּל דִּיבּוּר וְדִיבּוּר
שֶׁיֵּצֵא מִפִּי הַגְּבוּרָה נִחְלַק לְשִׁבְעִים לְשׁוֹנוֹת.
תָּנִי דְּרַבִּי יִשְׁמַעֲלָא: “כִּפְטִישׁ יִפְצֹץ סֶלַע”
מִה פְּטִישׁ זֶה נִחְלַק לְכַמָּה נִיצוּצוֹת – אֶף כָּל
דִּיבּוּר וְדִיבּוּר שֶׁיֵּצֵא מִפִּי הַקָּדוֹשׁ בְּרוּךְ הוּא
נִחְלַק לְשִׁבְעִים לְשׁוֹנוֹת. אָמַר רַב הֲנִנְיָאֵל בַּר
פַּפָּא, מֵאֵי דְּתִיב: “שִׁמְעוּ כִּי נִגִּידִים אֲדַבֵּר”
לְמָה נִגִּידִים דְּבִרֵּי תוֹרָה כְּנִגִּיד – לוֹמַר לָךְ:
מִה נִגִּיד זֶה יֵשׁ בּוֹ לְהַמִּית וּלְהַחְיֹת – אֶף
דְּבִרֵּי תוֹרָה יֵשׁ בָּם לְהַמִּית וּלְהַחְיֹת.

הֵינָנו דְּאָמַר רַבָּא: לְמִימִינִן בָּהּ – סְמָא
דְּחִי, לְמִשְׁמְאִילִים בָּהּ – סְמָא דְּמוֹתָא. דְּבַר
אַחֵר: “נִגִּידִים” – כָּל דִּיבּוּר וְדִיבּוּר שֶׁיֵּצֵא
מִפִּי הַקָּדוֹשׁ בְּרוּךְ הוּא קוֹשְׁרִים לוֹ שְׁנֵי
כְּתָרִים. אָמַר רַבִּי יְהוֹשֻׁעַ בֶּן לֵוִי, מֵאֵי דְּתִיב:
“צִרוּר הַמּוֹר דּוּדִי לִי בֵּין שְׁדֵי יִלְיִן” – אֲמַרָה
כְּנִסְתָּ יִשְׂרָאֵל לִפְנֵי הַקָּדוֹשׁ בְּרוּךְ הוּא:
רְבוּנוֹ שֶׁל עוֹלָם, אֶף עַל פִּי שֶׁמִּיָּצֵא וּמִיָּמֵר
לִי דּוּדִי – “בֵּין שְׁדֵי יִלְיִן”. “אֲשַׁבֵּל הַכֶּפֶר
דּוּדִי לִי בְּכַרְמִי עֵין גִּדִּי” – מִי שֶׁהִבֵּל שְׁלוֹ
מִכֶּפֶר לִי עַל עוֹן גִּדִּי שֶׁכָּרַמְתִּי לִי. מֵאֵי מִשְׁמַע
דְּהָא ‘כַּרְמִי’ לִישָׁנָא דְּמִכְנִישׁ הוּא? אָמַר מַר
זוּטְרָא בְּרִיה דְּרַב נַחֲמָן, דְּתַנֵּן: “כְּפַס שֶׁל
כּוֹסֵם שְׁכוֹרִמִים עָלָיו אֶת הַכְּלִים”.

who proceed wholeheartedly and with integrity, it is written: “The integrity of the upright will guide them” (Proverbs 11:3), whereas about those people who walk in deceit, it is written at the end of the same verse: “And the perverseness of the faithless will destroy them.”

Rabbi Shmuel bar Nahamani said that Rabbi Yonatan said: What is the meaning of that which is written: “You have ravished my heart, my sister, my bride; you have ravished my heart with one of your eyes, with one bead of your necklace” (Song of Songs 4:9)? At first when you, the Jewish people, merely accepted the Torah upon yourselves it was with one of your eyes; however, when you actually perform the mitzvot it will be with both of your eyes. Ulla said with regard to the sin of the Golden Calf: Insolent is the bride who is promiscuous under her wedding canopy. Rav Mari, son of the daughter of Shmuel, said: What verse alludes to this? “While the king was still at his table my spikenard gave off its fragrance” (Song of Songs 1:12). Its pleasant odor dissipated, leaving only an offensive odor. Rav said: Nevertheless, it is apparent from the verse that the affection of the Holy One, Blessed be He, is still upon us, as it is written euphemistically as “gave off its fragrance,” and the verse did not write, it reeked. And the Sages taught: About those who are insulted and do not insult,^h who hear their shame and do not respond, who act out of love and are joyful in suffering, the verse says: “And they that love Him are as the sun going forth in its might” (Judges 5:31).

With regard to the revelation at Sinai, Rabbi Yohanan said: What is the meaning of that which is written: “The Lord gives the word; the women that proclaim the tidings are a great host” (Psalms 68:12)? It means that each and every utterance that emerged from the mouth of the Almighty divided into seventy languages,ⁿ a great host. And, similarly, the school of Rabbi Yishmael taught with regard to the verse: “Behold, is My word not like fire, declares the Lord, and like a hammer that shatters a rock?” (Jeremiah 23:29). Just as this hammer breaks a stone into several fragments, so too, each and every utterance that emerged from the mouth of the Holy One, Blessed be He, divided into seventy languages. The Gemara continues in praise of the Torah. Rav Hananel bar Pappa said: What is the meaning of that which is written: “Listen, for I will speak royal things, and my lips will open with upright statements” (Proverbs 8:6)? Why are matters of Torah likened to a king? To teach you that just as this king has the power to kill and to grant life, so too, matters of Torah have the power to kill and to grant life.

And that is what Rava said: To those who are right-handed in their approach to Torah, and engage in its study with strength, good will, and sanctity, Torah is a drug of life, and to those who are left-handed in their approach to Torah, it is a drug of death. Alternatively, why are matters of Torah referred to as royal? Because to each and every utterance that emerged from the mouth of the Holy One, Blessed be He, two crowns are tied. Rabbi Yehoshua ben Levi said: What is the meaning of that which is written: “My beloved is to me like a bundle of myrrh that lies between my breasts” (Song of Songs 1:13)? The Congregation of Israel said before the Holy One, Blessed be He: Master of the Universe, even though my beloved, God, causes me suffering and bitterness, He still lies between my breasts. And Rabbi Yehoshua ben Levi interpreted the verse: “My beloved is to me like a cluster [eshkol] of henna [hakofer] in the vineyards of [karmei] Ein Gedi” (Song of Songs 1:14). He, Whom everything [shehakol] is His, forgives [mekhapper] me for the sin of the kid [gedi],ⁿ i.e., the calf, that I collected [shekaramti] for myself. The Gemara explains: From where is it inferred that the word in this verse, karmei, is a term of gathering? Mar Zutra, son of Rav Nahman, said that it is as we learned in a mishna: A launderer’s chair upon which one gathers [koremim] the garments.

HALAKHA

Those who are insulted and do not insult – עֲלוּבִין וְאִינָן עוֹלְבִין: A Torah scholar, as well as anyone who seeks to follow a righteous path, should be among those who are persecuted and not among those who persecute others; among those who are insulted, and not among those who insult. With regard to one who conducts himself in that manner, the verse says: “And He said to me, you are My servant Israel, in whom I will be glorified” (Isaiah 49:3; Rambam Sefer HaMadda, Hilkhot Deot 5:13).

NOTES

נְחָלֶךְ – Divided into seventy languages – לְשִׁבְעִים לְשׁוֹנוֹת: This was done so the nations of the world could not claim that the reason they did not accept the Torah was because it was not written in their language (Maharsha).

עַל עוֹן גִּדִּי – For the sin of the kid: According to the commentaries on the Torah, the word *gedi* means any young offspring of a kosher animal, including a calf and a lamb. Therefore, the Torah does not use the term *gedi* on its own. Rather, it uses the seemingly redundant phrase, a *gedi* of goats [*gedi izim*]. Based on this understanding, the verse: “Do not cook a *gedi* in its mother’s milk” (Exodus 23:19, 34:26; Deuteronomy 14:21) is interpreted as prohibiting all kosher animals (Maharsha).

הַחוּרֵי יִשְׂרָאֵל לֵאחֹרֵיהֶן – The Jewish people retreated – According to some commentaries, after each utterance, the Jewish people felt that they had to again draw near to God (*Beit Ya'akov*).

תשע – Nine hundred and seventy four generations – מאות ושבעים וארבעה דורות: This idea has been presented elsewhere as: The Torah preceded creation of the world by 2,000 years. Some claim that the two calculations are equal (*Ba'al Halakhot Gedolot*). The calculation is based on the following: There were ten generations from Adam to Noah, and ten from Noah to Abraham. Abraham, Isaac, Jacob, Levi, Kehat, and Amram are six additional generations. The last twenty-six of 1,000 generations began with the Creation.

I am afraid lest they burn me with the breath of their mouths – מִתֵּיירָא אֲנִי שָׂמָא יִשְׂרָפוּנִי בְהֶבֶל – שְׂבִיפִיהֶם: Moses feared the breath of the angels because angels do not sin and, therefore, their breath is without sin. God told him to grasp the throne of glory, because God's glory comes from man. Although man is flesh and blood and subject to the influence of the evil inclination, nevertheless, he overcomes his inclination and honors God (*Hoshev Maḥshavot, Bina Le'Itim*).

וְאָמַר רַבִּי יְהוֹשֻׁעַ בֶּן לֹוִי: כָּל דִּיבּוּר וְדִיבּוּר – לְחִיו כְּעֶרְוַת הַבֶּשֶׂם – כָּל דִּיבּוּר וְדִיבּוּר שִׁנְאָא מִפִּי הַקָּדוֹשׁ בְּרוּךְ הוּא נִתְמַלֵּא כָּל הָעוֹלָם כּוֹלֵל בְּשָׂמִים. וְכִיּוֹן שְׂמִידִיבּוּר רֵאשׁוֹן נִתְמַלֵּא, דִּיבּוּר שְׁנִי לֵהִיכֵן הֵלֵךְ? הֲוִיצֵא הַקָּדוֹשׁ בְּרוּךְ הוּא רוּחַ מְאֻזְרוֹתָיו, וְהִיָּה מַעֲבִיר רֵאשׁוֹן רֵאשׁוֹן, שְׂנֵאָמַר: “שְׂפָתוֹתַי שׁוֹשְׁנִים נוֹטְפוֹת מוֹר עֵבֶר”, אֶל תִּקְרִי שׁוֹשְׁנִים אֶלֶּא ‘שְׁשׁוֹנִים’.

וְאָמַר רַבִּי יְהוֹשֻׁעַ בֶּן לֹוִי: כָּל דִּיבּוּר וְדִיבּוּר שִׁנְאָא מִפִּי הַקָּדוֹשׁ בְּרוּךְ הוּא יֵצֵתָה נִשְׁמָתָן שֶׁל יִשְׂרָאֵל, שְׂנֵאָמַר: “נִפְשֵׁי יֵצְאוּ בְּדַבָּרוֹ”. וּמֵאַחֵר שְׂמִידִיבּוּר רֵאשׁוֹן יֵצֵתָה נִשְׁמָתָן, דִּיבּוּר שְׁנִי הֵיכָן קִיבְּלוּ? הֲוִידָה טַל שְׁעִתִּיד לְהַחֲיוֹת בּוֹ מֵתִים, וְהִחֲיָה אוֹתָם, שְׂנֵאָמַר: “גִּשְׁם נְדָבוֹת תִּנְיֹף אֱלֹהִים נִחְלַתְךָ וְנִלְאָה אֶתָּה כּוֹנֵנָתָה”. וְאָמַר רַבִּי יְהוֹשֻׁעַ בֶּן לֹוִי: כָּל דִּיבּוּר וְדִיבּוּר שִׁנְאָא מִפִּי הַקָּדוֹשׁ בְּרוּךְ הוּא חוּרוֹ יִשְׂרָאֵל לֵאחֹרֵיהֶן שְׁנִים עָשָׂר מִל, וְהָיוּ מַלְאכֵי הַשָּׁרֵת מְדִידִין אוֹתָן, שְׂנֵאָמַר: “מַלְאכֵי צְבָאוֹת יִדְּדוּן יִדְּדוּן” אֶל תִּקְרִי יִדְּדוּן אֶלֶּא יִדְּדוּן.

וְאָמַר רַבִּי יְהוֹשֻׁעַ בֶּן לֹוִי: בְּשָׁעָה שְׁעָלָה מֹשֶׁה לְמִרוֹם אָמְרוּ מַלְאכֵי הַשָּׁרֵת לִפְנֵי הַקָּדוֹשׁ בְּרוּךְ הוּא: רְבוּנוֹ שֶׁל עוֹלָם, מֶה לִּילּוֹד אִשָּׁה בֵּינֵינוּ? אָמַר לָהֶן: לְקַבֵּל תּוֹרָה בָּא. אָמְרוּ לִפְנֵיו: חֲמוּדָה גְּנוּזָה שְׂגֻנוּזָה לְךָ תִּשַׁע מֵאוֹת וּשְׁבַעִים וָאַרְבָּעָה דּוֹרוֹת קוֹדֶם שְׁנִבְרָא הָעוֹלָם, אֶתָּה מְבַקֵּשׁ לִיתֵּנָה לְבָשָׂר וְדָם? “מֶה אֶנּוּשׁ כִּי תִזְכְּרֵנוּ וּבֶן אָדָם כִּי תִפְקְדֵנוּ ה’ אֲדִינֵנוּ מֶה אֲדִיר שְׁמֶךָ בְּכָל הָאָרֶץ אֲשֶׁר תִּנֶּה הוֹדְךָ עַל הַשָּׁמַיִם!”

אָמַר לוֹ הַקָּדוֹשׁ בְּרוּךְ הוּא לְמֹשֶׁה: הַחֲזִיר לָהֶן תְּשׁוּבָה! אָמַר לִפְנֵיו: רְבוּנוֹ שֶׁל עוֹלָם, מִתֵּיירָא אֲנִי שָׂמָא יִשְׂרָפוּנִי בְהֶבֶל שְׂבִיפִיהֶם. אָמַר לוֹ: אַחֲזוּ בְּכֶסֶף כְּבוֹדִי, וְחֻזּוֹר לָהֶן תְּשׁוּבָה, שְׂנֵאָמַר: “מֵאַחַז פְּנֵי כֶסֶף פָּרְשׁוּ עָלָיו עָנְנוֹ”. וְאָמַר רַבִּי נַחוּם: מִלְּמֹד שְׂפִירָשׁ שְׂדֵי מִזֵּי שְׂכִינָתוֹ וְעָנְנוּ עָלָיו. אָמַר לִפְנֵיו: רְבוּנוֹ שֶׁל עוֹלָם, תּוֹרָה שְׂאֵתָה נּוֹתֵן לִי מֶה כְּתִיב בָּהּ – “אֶנְכִּי ה’ אֱלֹהֶיךָ אֲשֶׁר הוֹצֵאתִיךָ מֵאֶרֶץ מִצְרַיִם”. אָמַר לָהֶן: לְמַצְרַיִם יִרְדָּתָם, לְפָרְעָה הִשְׁתַּעַבְדָּתָם, תּוֹרָה לָמָּה תִּהְיֶה לָּךְ לְכֶם? שׁוּב מֶה כְּתִיב בָּהּ – “לֹא יִהְיֶה לָּךְ אֱלֹהִים אֲחֵרִים”, בֵּין הַגּוֹיִם אֲתָם שְׂרוּיִין שְׁעוֹבְדִין

And Rabbi Yehoshua ben Levi said: What is the meaning of that which is written: “His cheeks are as a bed of spices, as banks of sweet herbs, his lips are lilies dripping with flowing myrrh” (Song of Songs 5:13)? It is interpreted homiletically: From each and every utterance that emerged from His cheeks, i.e., the mouth of the Holy One, Blessed be He, the entire world was filled with fragrant spices. And since the world was already filled by the first utterance, where was there room for the spices of the second utterance to go? The Holy One, Blessed be He, brought forth wind from His treasures and made the spices pass one at a time, leaving room for the consequences of the next utterance. As it is stated: “His lips are lilies [*shoshanim*] dripping with flowing myrrh.” Each and every utterance resulted in flowing myrrh. Do not read the word in the verse as *shoshanim*; rather, read it as *sheshonim*, meaning repeat. Each repeat utterance produced its own fragrance.

And Rabbi Yehoshua ben Levi said: From each and every utterance that emerged from the mouth of the Holy One, Blessed be He, the souls of the Jewish people left their bodies, as it is stated: “My soul departed when he spoke” (Song of Songs 5:6). And since their souls left their bodies from the first utterance, how did they receive the second utterance? Rather, God rained the dew upon them that, in the future, will revive the dead, and He revived them, as it is stated: “You, God, poured down a bountiful rain; when Your inheritance was weary You sustained it” (Psalms 68:10). And Rabbi Yehoshua ben Levi said: With each and every utterance that emerged from the mouth of the Holy One, Blessed be He, the Jewish people retreated^N in fear twelve *mil*, and the ministering angels walked them back toward the mountain, as it is stated: “The hosts of angels will scatter [*yidodun*]” (Psalms 68:13). Do not read the word as *yidodun*, meaning scattered; rather, read it as *yedadun*, they walked them.

And Rabbi Yehoshua ben Levi said: When Moses ascended on High to receive the Torah, the ministering angels said before the Holy One, Blessed be He: Master of the Universe, what is one born of a woman doing here among us? The Holy One, Blessed be He, said to them: He came to receive the Torah. The angels said before Him: The Torah is a hidden treasure that was concealed by you 974 generations^N before the creation of the world, and you seek to give it to flesh and blood? As it is stated: “The word which He commanded to a thousand generations” (Psalms 105:8). Since the Torah, the word of God, was given to the twenty-sixth generation after Adam, the first man, the remaining 974 generations must have preceded the creation of the world. “What is man that You are mindful of him and the son of man that You think of him?” (Psalms 8:5). Rather, “God our Lord, how glorious is Your name in all the earth that Your majesty is placed above the heavens” (Psalms 8:2). The rightful place of God’s majesty, the Torah, is in the heavens.

The Holy One, Blessed be He, said to Moses: Provide them with an answer as to why the Torah should be given to the people. Moses said before Him: Master of the Universe, I am afraid lest they burn me with the breath of their mouths.^N God said to him: Grasp My throne of glory for strength and protection, and provide them with an answer. And from where is this derived? As it is stated: “He causes him to grasp the front of the throne, and spreads His cloud over it” (Job 26:9), and Rabbi Naḥum said: This verse teaches that God spread the radiance of His presence and His cloud over Moses. Moses said before Him: Master of the Universe, the Torah that You are giving me, what is written in it? God said to him: “I am the Lord your God Who brought you out of Egypt from the house of bondage” (Exodus 20:2). Moses said to the angels: Did you descend to Egypt? Were you enslaved to Pharaoh? Why should the Torah be yours? Again Moses asked: What else is written in it? God said to him: “You shall have no other gods before Me” (Exodus 20:3). Moses said to the angels: Do you dwell among the nations who worship

עבודת גלולים? שוב מה כתיב בה –
"זכור את יום השבת לקדשו" כלום
אתם עושים מלאכה שאתם צריכין
שבות? שוב מה כתיב בה – "לא
תשא" משא ומתן יש ביניכם? שוב מה
כתיב בה – "כבד את אביך ואםך"
אב ואם יש לכם? שוב מה כתיב בה
"לא תרצח" "לא תנאף" "לא תגנב"
קנאה יש ביניכם, יצר הרע יש ביניכם?
מיד הודו לו להקדוש ברוך הוא,
שנאמר: "ה' אדינו מה אדיר שמך"
וגו' ואילו "תנה הודך על השמים" –
לא כתיב.

מיד כל אחד ואחד נעשה לו אוהב,
ומסר לו דבר, שנאמר: "עלית למרום
שבית שבי לקחת מתנות באדם",
בשכר שקראוך אדם לקחת מתנות.
אף מלאך המות מסר לו דבר, שנאמר:
"ויתן את הקטורת ויכפר על העם",
ואומר: "ויעמד בין המתים ובין החיים"
וגו', אי לאו דאמר ליה – מי היה
ידע?

ואמר רבי יהושע בן לוי: בשעה שירד
משה מלפני הקדוש ברוך הוא, בא
שטן ואמר לפניו: רבוננו של עולם, תורה
היכן היא? אמר לו: נתתיה לארץ. הלך
אצל ארץ, אמר לה: תורה היכן היא?
אמרה לו: "אלהים הבין דרכה וגו'".
הלך אצל ים ואמר לו: "אין עמדי".
הלך אצל תהום, אמר לו: "אין בי",
שנאמר: "תהום אמר לא בי היא וים
אמר אין עמדי, אבדון ומות אמרו
באוננו שמענו שמעה". חזר ואמר לפני
הקדוש ברוך הוא: רבוננו של עולם,
חיפשתי בכל הארץ ולא מצאתיה.
אמר לו: לך אצל בן עמרם.

idols that you require this special warning? Again Moses asked: **What else is written in it?** The Holy One, Blessed be He, said to him: **"Remember the Shabbat day to sanctify it"** (Exodus 20:8). Moses asked the angels: **Do you perform labor that you require rest from it?** Again Moses asked: **What else is written in it?** **"Do not take the name of the Lord your God in vain"** (Exodus 20:7), meaning that it is prohibited to swear falsely. Moses asked the angels: **Do you conduct business with one another that may lead you to swear falsely?** Again Moses asked: **What else is written in it?** The Holy One, Blessed be He, said to him: **"Honor your father and your mother"** (Exodus 20:12). Moses asked the angels: **Do you have a father or a mother that would render the commandment to honor them relevant to you?** Again Moses asked: **What else is written in it?** God said to him: **"You shall not murder, you shall not commit adultery, you shall not steal."** Moses asked the angels: **Is there jealousy among you, or is there an evil inclination within you that would render these commandments relevant?** Immediately they agreed with the Holy One, Blessed be He, that He made the right decision to give the Torah to the people, and as it is stated: **"God our Lord, how glorious is Your name in all the earth"** (Psalms 8:10), while **"that Your majesty is placed above the heavens"** is not written because the angels agreed with God that it is appropriate to give the Torah to the people on earth.

Immediately, each and every one of the angels became an admirer of Moses and passed something to him, as it is stated: **"You ascended on high, you took a captive, you took gifts on account of man, and even among the rebellious also that the Lord God might dwell there"** (Psalms 68:19). The meaning of the verse is: **In reward for the fact that they called you man**, you are not an angel and the Torah is applicable to you, you took gifts from the angels. And even the Angel of Death gave him something, as Moses told Aaron how to stop the plague, as it is stated: **"And he placed the incense, and he atoned for the people"** (Numbers 17:12). And the verse says: **"And he stood between the dead and the living, and the plague was stopped"** (Numbers 17:13). If it were not that the Angel of Death told him this remedy, would he have known it?

And Rabbi Yehoshua ben Levi said: When Moses descended from standing before the Holy One, Blessed be He, with the Torah, Satan came and said before Him:^N Master of the Universe, where is the Torah?

He said to him: I have given it to the earth. He went to the earth, and said to it: Where is the Torah? It said to him: I do not know, as only: **"God understands its way, and He knows its place"** (Job 28:23).

He went to the sea and asked: Where is the Torah? And the sea said to him: **"It is not with me."**

He went to the depths and asked: Where is the Torah? And the depths said to him: **"It is not within me."** And from where is it derived that the sea and the depths answered him this way? As it is stated: **"The depth said: It is not within me, and the sea said: It is not with me"** (Job 28:14). **"Destruction and death said: We heard a rumor of it with our ears"** (Job 28:22).

Satan returned and said before the Holy One, Blessed be He: Master of the Universe, I searched for the Torah throughout all the earth and did not find it. He said to him: Go to Moses, son of Amram.

NOTES

Satan came and said before Him – בא שטן ואמר לפניו – Satan is the perpetual prosecutor, constantly seeking to diminish the merit of the inhabitants of the world. The Gemara relates that Satan opposed giving the Torah to this world, because no one in the world deserves it. Therefore, he travels from place to place

and is unsuccessful in finding an area large enough to contain the Torah. Moses humbles himself and says that even though he received the Torah, he is nevertheless not worthy of it. Therefore, he was privileged to have the Torah called: The Torah of Moses (Kur LeZahav).

Tying crowns to letters – קושר כתרין לאותיות – Elsewhere, the Gemara reports that Rabbi Akiva interpreted each and every point on the crowns above the Torah's letters. This midrash relates that the Holy One, Blessed be He, was willing to complete the writing of the Torah with those crowns. Incidentally, the Gemara mentions an additional lesson: One should conduct himself respectfully in every circumstance (Adderet Eliyahu).

What is the reason that you do not frequent the school where you can study before them – מאי טעמא לא שכיחית – Some commentaries interpret this differently, saying that it was the questioner who asked Rav Kahana why he doesn't go study *aggada* with Rav Pappa and Rav Huna, son of Rav Yehoshua. They are very precise in their statements, even when discussing *aggada*, while Rav Kahana is not.

Upon which hatred for the nations of the world descended – שירדה שנאה לאומות העולם עליו – Some commentaries explain that the nations of the world began hating the Jewish people when the Torah was given at Sinai. A different version of this statement, which appears in some collections of the midrash, supports this explanation. From the moment they received the Torah, the Jewish people became isolated. Still, most sources explain this differently, as indicating that hatred descended among the nations of the world. The revelation at Sinai introduced compulsory faith to the world, as well as the concept of a correct and incorrect way to worship God. This became a bone of contention between the nations of the world.

הלך אצל משה, אמר לו: תורה שנתן לך הקדוש ברוך הוא היכן היא? אמר לו: וכן מה אני שנתן לי הקדוש ברוך הוא תורה? אמר לו הקדוש ברוך הוא למשה: משה, בדאי אתה? אמר לפניו: רבונא של עולם, חמודה גנוזה יש לך שאיתה משתעשע בה בכל יום. אני אחזיק טובה לעצמי? אמר לו הקדוש ברוך הוא למשה: הואיל ומיעטת עצמך – תקרא על שמך. שנאמר: "זכרו תורת משה עבדי וגו'".

ואמר רבי יהושע בן לוי: בשעה שעלה משה למרום מצאו להקדוש ברוך הוא שיהיה קושר כתרין לאותיות. אמר לו: משה, אין שלום בעירך? אמר לפניו: כלום יש עבד שנותן שלום לרבו? אמר לו: היה לך לעזרני. מיד אמר לו: "ועתה יגדל נא כח ה' באשר דברת".

(אמר) רבי יהושע בן לוי, מאי דכתיב: "וירא העם כי ביש משה", אל תקרי 'בוש' אלא 'באו שש'. בשעה שעלה משה למרום אמר להן לישראל: לסוף ארבעים יום, בתחלת שש, אני בא. לסוף ארבעים יום בא שטן ועירבב את העולם. אמר להן: משה רבכם היכן הוא? אמרו לו: עלה למרום. אמר להן: "באו שש" – ולא השגיחו עליו. "מת" – ולא השגיחו עליו. הראה להן דמות מטותו. והיינו דקאמרי ליה לאהרן: "כי זה משה האיש וגו'".

אמר ליה ההוא מרבנן לרב כהנא: מי שמיע לך מאי הר סיני? אמר ליה: הר שנעשו בו נסים לישראל. הר ניסאי מביעי ליה! אלא: הר שנעשה סימן טוב לישראל. הר סימנאי מביעי ליה! אמר ליה: מאי טעמא לא שכיחית קמיה דרב פפא ורב הונא בריה דרב יהושע, דמעייני באגדתא. דרב חסדא ורבה בריה דרב הונא דאמרי תרווייהו: מאי הר סיני – הר שירדה שנאה לאומות העולם עליו. והיינו דאמר רבי יוסי בריה דחננא: חמשה שמות יש לו: מדבר צין – שנצטוו ישראל עליו, מדבר קדש – שנתקדשו ישראל עליו, מדבר קדמות – שנתנה קדומה עליו, מדבר פארן –

He went to Moses and said to him: The Torah that the Holy One, Blessed be He, gave you, where is it? Moses evaded the question and said to him: And what am I that the Holy One, Blessed be He, would have given me the Torah? I am unworthy. The Holy One, Blessed be He, said to Moses: Moses, are you a fabricator? Moses said before Him: Master of the Universe, You have a hidden treasure in which You delight every day, as it is stated: "And I was His delight every day, playing before Him at every moment" (Proverbs 8:30). Should I take credit for myself and say that You gave it to me? The Holy One, Blessed be He, said to Moses: Since you belittled yourself, the Torah will be called by your name, as it is stated: "Remember the Torah of Moses My servant to whom I commanded at Horeb laws and statutes for all of Israel" (Malachi 3:22).

And Rabbi Yehoshua ben Levi said: When Moses ascended on High, he found the Holy One, Blessed be He, tying crowns to letters.^N On the tops of certain letters there are ornamental crownlets. Moses said nothing, and God said to him: Moses, is there no greeting in your city? Do people not greet each other in your city? He said before Him: Does a servant greet his master? That would be disrespectful. He said to him: At least you should have assisted Me and wished Me success in My work. Immediately he said to Him: "And now, may the power of the Lord be great as you have spoken" (Numbers 14:17).

And Rabbi Yehoshua ben Levi said: What is the meaning of that which is written: "And the people saw that Moses delayed [boshesh] to come down from the mount" (Exodus 32:1)? Do not read the word in the verse as *boshesh*; rather, read it as *ba'u shesh*, six hours have arrived. When Moses ascended on High, he told the the Jewish people: In forty days, at the beginning of six hours, I will come. After forty days, Satan came and brought confusion to the world by means of a storm, and it was impossible to ascertain the time. Satan said to the Jews: Where is your teacher Moses? They said to him: He ascended on High. He said to them: Six hours have arrived and he has not yet come. Surely he won't. And they paid him no attention. Satan said to them: Moses died. And they paid him no attention. Ultimately, he showed them an image of his death-bed and an image of Moses' corpse in a cloud. And that is what the Jewish people said to Aaron: "For this Moses, the man who brought us up out of the land of Egypt, we know not what has become of him" (Exodus 32:1).

One of the Sages said to Rav Kahana: Did you hear what is the reason that the mountain was called Mount Sinai? Rav Kahana said to him: It is because it is a mountain upon which miracles [nissim] were performed for the Jewish people. The Sage said to him: If so, it should have been called Mount Nisai, the mountain of miracles. Rather, Rav Kahana said to him: It is a mountain that was a good omen [siman] for the Jewish people. The Sage said to him: If so, it should have been called Har Simanai, the mountain of omens. Rav Kahana said to him: What is the reason that you do not frequent the school where you can study before^N Rav Pappa and Rav Huna, son of Rav Yehoshua, who study *aggada*? As Rav Hisda and Rabba, son of Rav Huna, both said: What is the reason it is called Mount Sinai? It is because it is a mountain upon which hatred [sina] for the nations of the world descended^N because they did not accept the Torah. And that is what Rabbi Yosei, son of Rabbi Hanina, said: The desert in which Israel remained for forty years has five names. Each name has a source and a rationale: The Zin Desert, because the Jewish people were commanded [nitztavu] in it; the Kadesh Desert, because the Jewish people were sanctified [nitkadshu] in it. The Kedemot Desert, because the ancient [keduma] Torah, which preceded the world, was given in it. The Paran Desert,

שָׁפְרוּ וּרְבוּ עָלֶיהָ יִשְׂרָאֵל, מִדְּבַר סִינַי – שִׁירָדָה שְׁנֵאָה לְאוֹמוֹת הָעוֹלָם עָלָיו, וּמֵה שָׁמוֹ – חוֹרֵב שָׁמוֹ. וּפְלִיגָא דְרַבִּי אֲבָהוּ, דְּאָמַר רַבִּי אֲבָהוּ: הֵר סִינַי שָׁמוֹ, וְלִמָּה נִקְרָא הַר חוֹרֵב – שִׁירָדָה חוֹרֵבָה לְאוֹמוֹת הָעוֹלָם עָלָיו.

”מִנֵּן שְׁקוּשְׁרִין לְשׁוֹן שֶׁל זְהוּרִית וְכוּ”.

”כְּשָׁנִים?” כְּשָׁנִי מִיבְעֵי לִיָּה! אָמַר רַבִּי יִצְחָק, אָמַר לָהֶם הַקָּדוֹשׁ בְּרוּךְ הוּא לְיִשְׂרָאֵל: אִם יִהְיוּ חֲטָאִיכֶם כְּשָׁנִים הִלְלוּ שְׁפָדוֹרוֹת וּבָאוֹת מִשְׁשֹׁת יְמֵי בְּרָאשִׁית וְעַד עַכְשָׁיו – כְּשָׁלֵג יִלְבִּינוּ. דְּרַשׁ רַבָּא, מֵאֵי דְכָתִיב: ”לָבוֹ נָא וְנִכְחַחָה יֹאמַר ה’.”

”לָבוֹ נָא,” ”בּוֹא נָא” מִיבְעֵי לִיָּה! ”יֹאמַר ה’” – ”אָמַר ה’” מִיבְעֵי לִיָּה! לְעֵתִיד לָבֹא יֹאמַר לָהֶם הַקָּדוֹשׁ בְּרוּךְ הוּא לְיִשְׂרָאֵל: לָבוֹ נָא אֶצֶל אֲבוֹתֵיכֶם וְיִכְיֹחוּ אֹתְכֶם.

וְיֹאמְרוּ לִפְנֵי: רְבוּנוּ שֶׁל עוֹלָם, אֶצֶל מִי נִלְךְ? אֶצֶל אַבְרָהָם שְׁאָמַרְתָּ לוֹ ”יָדַע תִּדַּע” – וְלֹא בִקֵּשׁ רַחֲמִים עָלֵינוּ, אֶצֶל יִצְחָק שֶׁבִירַךְ אֶת עֵשָׂו ”וְהָיָה כְּאִשׁוֹ תִּרְד” – וְלֹא בִקֵּשׁ רַחֲמִים עָלֵינוּ, אֶצֶל יַעֲקֹב שְׁאָמַרְתָּ לוֹ ”אֲנֹכִי אֵרֵד עִמָּךְ מִצְרָיִם” וְלֹא בִקֵּשׁ רַחֲמִים עָלֵינוּ, אֶצֶל מִי נִלְךְ? עַכְשָׁיו יֹאמַר ה’. אָמַר לָהֶם הַקָּדוֹשׁ בְּרוּךְ הוּא: הוֹאִיל וּתְלִיתָם עֲצֻמְכֶם בִּי – ”אִם יִהְיוּ חֲטָאִיכֶם כְּשָׁנִים כְּשָׁלֵג יִלְבִּינוּ”.

אָמַר רַבִּי שְׁמוּאֵל בַּר נַחֲמָנִי אָמַר רַבִּי יוֹנָתָן, מֵאֵי דְכָתִיב: ”כִּי אֲתָה אֲבִינוּ כִּי אַבְרָהָם לֹא יָדָענוּ וְיִשְׂרָאֵל לֹא יִבְרָנוּ אֲתָה ה’ אֲבִינוּ גּוֹאֲלֵנוּ מֵעוֹלָם שְׁמֹךְ”.

לְעֵתִיד לָבֹא יֹאמַר לוֹ הַקָּדוֹשׁ בְּרוּךְ הוּא לְאַבְרָהָם: בְּנִיךָ חָטָא לִי. אָמַר לִפְנֵי: רְבוּנוּ שֶׁל עוֹלָם – יִמְחוּ עַל קְדוּשַׁת שְׁמֹךְ. אָמַר: אֵימַר לִיָּה לְיַעֲקֹב דְּהוּא לִיָּה צַעַר גִּידוּל בָּנִים, אֶפְשָׁר דְּבָעֵי רַחֲמֵי עָלֵיהּ.

אָמַר לִיָּה: בְּנִיךָ חָטָא. אָמַר לִפְנֵי: רְבוּנוּ שֶׁל עוֹלָם, יִמְחוּ עַל קְדוּשַׁת שְׁמֹךְ. אָמַר: לֹא בִסְבִי טַעְמָא, וְלֹא בְּדַרְדְּקֵי עֲצָה. אָמַר לוֹ לְיִצְחָק: בְּנִיךָ חָטָא לִי. אָמַר לִפְנֵי: רְבוּנוּ שֶׁל עוֹלָם, בְּנִי וְלֹא בְּנִיךָ! בְּשַׁעַת שְׁהִקְדִּימוּ לִפְנֵיךָ ”נַעֲשֵׂה” לְנַעֲשֵׂמַי, קִרְאָתָ לָהֶם ”בְּנֵי בְבוּרִי”, עַכְשָׁיו בְּנֵי וְלֹא בְּנִיךָ?

because the Jewish people were fruitful [paru] and multiplied in it; the Sinai Desert, because hatred descended upon the nations of the world on it, on the mountain on which the Jewish people received the Torah. And what is the mountain's true name? Horeb is its name. And that disputes the opinion of Rabbi Abbahu, as Rabbi Abbahu said: Mount Sinai is its name. And why is it called Mount Horeb? It is because destruction [hurba] of the nations of the world descended upon it.

We learned in the mishna: From where is it derived that one ties a scarlet strip of wool to the scapegoat? As it says: “If your sins be like scarlet [kashanim], they will become white like snow” (Isaiah 1:18). The Gemara wonders at this: Why does the verse use the plural form: *Kashanim*? It should have used the singular form: *Kashani*. Rabbi Yitzhak said that the Holy One, Blessed be He, said to the Jewish people: Even if your sins are as numerous as those years [kashanim]ⁿ that have proceeded continuously from the six days of Creation until now, they will become white like snow. Rava taught: What is the meaning of that which is written: “Go please and let us reason together, the Lord will say” (Isaiah 1:18)? Why does the verse say: Go please? It should have said: Come please. And why does the verse say: The Lord will say? The prophet’s message is based on something that God already said. Therefore, the verse should have said: God said. Rather, the explanation of this verse is that in the future that will surely come, the Holy One, Blessed be He, will say to the Jewish people: Go please to your Patriarchs, and they will rebuke you.

And the Jewish people will say before Him: Master of the Universe, to whom shall we go? Shall we go to Abraham, to whom You said: “Know certainly that your seed shall be a stranger in a land that is not theirs, and shall serve them; and they shall afflict them four hundred years” (Genesis 15:13), and he did not ask for mercy on our behalf? Or perhaps we should go to Isaac, who blessed Esau and said: “And it shall come to pass when you shall break loose, that you shall shake his yoke from off your neck” (Genesis 27:40), and he did not ask for mercy on our behalf. Or perhaps we should go to Jacob, to whom You said: “I will go down to Egypt with you” (Genesis 46:4), and he did not ask for mercy on our behalf. And if so, to whom shall we go? Shall we go to our Patriarchs, who do not have mercy on us? Rather, now God Himself says what punishment we deserve. The Holy One, Blessed be He, said to them: Since you made yourselves dependent on Me, “If your sins be like scarlet, they will become white like snow.”

Apropos the Jewish people assessing their forefathers, the Gemara cites a related teaching. Rabbi Shmuel bar Nahmani said that Rabbi Yonatan said: What is the meaning of that which is written: “For You are our Father; for Abraham knows us not, and Israel does not acknowledge us; You, Lord, are our Father, our Redeemer, everlasting is Your name” (Isaiah 63:16). In the future that will surely come, the Holy One, Blessed be He, will say to Abraham: Your children have sinned against Me. Abraham will say before Him: Master of the Universe, if so, let them be eradicated to sanctify Your name. God said: I will say it to Jacob. Since he experienced the pain of raising children, perhaps he will ask for mercy on their behalf. He said to Jacob: Your children have sinned. Jacob said before Him: Master of the Universe, if so, let them be eradicated to sanctify Your name. The Holy One, Blessed be He, said: There is no reason in elders and no wisdom in youth. Neither Abraham nor Jacob knew how to respond properly. He said to Isaac: Your children have sinned against Me. Isaac said before Him:ⁿ Master of the Universe, are they my children and not Your children? At Sinai, when they accorded precedence to “We will do” over “We will listen” before You, didn’t You call them, “My son, My firstborn son Israel” (Exodus 4:22)? Now that they have sinned, are they my children and not Your children?

NOTES

יָדִיו – Your sins are as numerous as those years – חֲטָאִיכֶם כְּשָׁנִים: Some commentaries explain this statement according to the Jerusalem Talmud, where it is stated: When one commits a sin that is typical for a person of his age, e.g., a young man is drawn by lust for women, or an older man seeks honor, the Holy One, Blessed be He, forgives him. However, one who commits sins that are atypical for a person of his age is not forgiven.

Isaac comes to the defense of the Jewish people – יִצְחָק מְלִמֵּד זְכוּת עַל יִשְׂרָאֵל – Why is Isaac the one who comes to the Jewish people’s defense? Some explain that Isaac is acting in character. Even in his own lifetime, he showed compassion for his sinful son Esau and did not judge him harshly. Similarly, Abraham and Jacob were also acting in character. When the Jewish people stand in judgment, Abraham and Jacob are, characteristically, not so compassionate; they were also tougher on their own children and not as forgiving of their sins (Iyyun Ya’akov).

One who carries out wood – המוציא עצים: The measure that determines liability for carrying out wood on Shabbat is equivalent to the amount of wood used to cook a fig-bulk of a chicken egg beaten with oil and placed in a stew pot. This is in accordance with the mishna and the parallel discussion on *daf* 80b (Rambam *Sefer Zemanim, Hilkhos Shabbat* 18:4).

Spices – תבלין: The measure that determines liability for carrying out spices on Shabbat is equivalent to the quantity of spices needed to season an egg (Rambam *Sefer Zemanim, Hilkhos Shabbat* 18:5).

Dyes and laundry substances – צבעים וחומרי כביסה: The measure that determines liability for carrying out dyes or laundry materials on Shabbat is equivalent to the amount that is used to dye or launder a small garment the size of a woman's hairnet (Rambam *Sefer Zemanim, Hilkhos Shabbat* 18:8).

BACKGROUND

Nutshells and pomegranate peels – קליפי אגוזים וקליפי רימונים: Nutshells are the source of a light-brown dye used for dyeing woven wool and silk. It is a very resilient dye that rarely fades. Pomegranate peels provide a stable orange dye when combined with alum. These dyes were used until the current era, when synthetic dyes replaced most plant-based dyes.

NOTES

Atop a woman's hairnet – פי סבכה: A variant reading in the Gemara is to launder a woman's hairnet. The Gemara is discussing dyeing the entire hairnet, an example of a small garment (*Me'iri*).

LANGUAGE

Kimolian earth [*Kimoleya*] – קמוליא: From the Greek *Κιμωλία*, *kimolia*, a special type of white mortar from the island of Kimolos that is used as soap.

Key [*aklida*] – אקלידא: From the Greek *κλεις*, *kleis*, or *κλειδα*, *kleida*, in the accusative form, meaning key.

ועוד, כמה חטא? כמה שנותיו של אדם – שבעים שנה. דל עשרין דלא ענשת עליהו – פשו להו חמשין. דל עשרין וחמשה דלילותא – פשו להו עשרין וחמשה. דל תרתי סרי ופלגא, דצלווי ומיכל ודבית הקסא – פשו להו תרתי סרי ופלגא. אם אתה סובל את כולם – מוטב, ואם לאו – פלגא עלי ופלגא עליך. ואם תמצא לומר כולם עלי – הא קריבית נפשי קמך. פתחו ואמרו: "כי אתה אבינו". אמר להם יצחק: עד שאתם מקלסין לי – קלסו להקדוש ברוך הוא, ומחיו להו יצחק הקדוש ברוך הוא בעיניהו. מיד נשאו עיניהם למרום ואומרים: "אתה ה' אבינו גואלנו מעולם שמיך".

אמר רבי חייא בר אבא אמר רבי יוחנן: ראוי היה יעקב אבינו לירד למצרים בשלשלאות של ברזל, אלא שזכותו גרמה לו דכתיב: "בחבלי אדם אמשכם בעבותות אהבה ואהיה להם כמרימי על על לחיהם ואט אלו אוכל".

מתני' המוציא עצים – כדי לבשל ביצה קלה, תבלין – כדי לתביל ביצה קלה, ומצטרפין זה עם זה. קליפי אגוזין, קליפי רימונים, איסטים ופואה – כדי לצבוע בהן בגד קטן, פי סבכה. מי גזלים, נתר, ובורית, קמוליא, ואשלג – כדי לכבס בגד קטן, פי סבכה. רבי יהודה אומר: כדי להעביר את הכתם.

גמ' תנינא חדא זימנא: קנה – כדי לעשות קולמוס, אם היה עב או מרוסק – כדי לבשל ביצה קלה שבביצים, טרופה ונתונה באילפס! – מהו דתימא: היתם הוא – דלא חיו למידי, אבל עצים דחיו לכבא דאקלידא – אפילו כל שהוא. קא משמע לן.

And furthermore, how much did they actually sin? How long is a person's life? Seventy years. Subtract the first twenty years of his life. One is not punished for sins committed then, as in heavenly matters, a person is only punished from age twenty. Fifty years remain for them. Subtract twenty-five years of nights, and twenty-five years remain for them. Subtract twelve and a half years during which one prays and eats and uses the bathroom, and twelve and a half years remain for them. If You can endure them all and forgive the sins committed during those years, excellent. And if not, half of the sins are upon me to bear and half upon You. And if You say that all of them, the sins of all twelve and a half years that remain, are upon me, I sacrificed my soul before You and You should forgive them due to my merit. The Jewish people began to say to Isaac: You are our father. Only Isaac defended the Jewish people as a father would and displayed compassion toward his children. Isaac said to them: Before you praise me, praise the Holy One, Blessed be He. And Isaac points to the Holy One, Blessed be He, before their eyes. Immediately they lifted their eyes to the heavens and say: "You, Lord, are our Father, our Redeemer, everlasting is Your name."

And since the Gemara mentioned Jacob's descent to Egypt, the Gemara cites that which Rabbi Hiyya bar Abba said that Rabbi Yohanan said: Our father Jacob should have gone down to Egypt in iron chains as would an exile against his will, as decreed by God and related to Abraham. However, his merit caused him to descend without suffering, as it is written: "I drew them with cords of man, with bands of love, and I was to them as they that take off the yoke on their jaws, and I fed them gently" (Hosea 11:4).

MISHNA After an extended digression for a discussion of matters unrelated to the *halakhot* of Shabbat, this mishna resumes treatment of the *halakhot* of carrying from domain to domain on Shabbat. **One who carries out wood**¹ on Shabbat is liable for a measure equivalent to the amount of wood necessary to cook an easily cooked egg. The measure that determines liability for carrying out spices² is equivalent to that which is used to season an easily cooked egg. And all types of spices join together with one another to constitute the measure for liability. The measure that determines liability for carrying out nutshells, pomegranate peels,³ safflower, and madder, which are used to produce dyes, is equivalent to the amount that is used to dye a small garment placed atop a woman's hairnet.⁴ The measure that determines liability for carrying out urine, natron, and borit, Kimolian earth [*Kimoleya*],⁵ and potash, all of which are abrasive materials used for laundry,⁶ is equivalent to the amount that is used to launder a small garment placed atop a woman's hairnet. And Rabbi Yehuda says: The measure that determines liability for these materials is equivalent to that which is used to remove a stain.

GEMARA With regard to the measure of wood, the Gemara asks: Didn't we already learn it once? As we learned in a mishna: The measure that determines liability for carrying out a reed is equivalent to that which is used to make a quill. And if the reed was thick and unfit for writing, or if it was fragmented, the measure that determines its liability is equivalent to that which is used to cook an egg most easily cooked, one that is already beaten and placed in a stew pot. The measure of firewood is clearly delineated. The Gemara answers: Still, this mishna is necessary. You might have said: There, the measure of the crushed reed reflects the fact that it is not suitable for anything other than kindling. However, regarding wood that is suitable to be used as a tooth of a key [*aklida*],⁷ the measure that determines its liability should be even any small amount. Therefore, it teaches us that wood is typically designated for burning, and that determines the measure for liability for carrying out wood on Shabbat.

”תְּבַלִּין בְּדִי לְתַבֵּל בִּיצָה קֹלֶה.”
וּרְמִינָה: תְּבַלִּין שְׁנֵים וּשְׁלֹשָׁה שְׁמוֹת
מִמֵּין אֶחָד, אוּ מִשְׁלֹשָׁה מִיָּמִין (וְשֵׁם
אֶחָד) – אֶסְרוּן, וּמַצְטָרְפִין זֶה עִם זֶה.
וְאָמַר חִזְקִיָּה:

We learned in the mishna that all types of **spices** join together with one another to constitute the measure **equivalent** to that which is used **to season an easily cooked egg**. The Gemara raises a **contradiction** from that which we learned elsewhere: **Spices**, which are prohibited due to **two or three** different prohibitions, e.g., one is prohibited due to *orla*, and one due to the prohibition of untithed produce, and they were all of a **single species** (*Tosafot*), or if they were of **three different species**, are prohibited, and they join together with each other to constitute a complete measure. And Hizkiya said:

Perek IX Daf 90 Amud a

בְּמִינֵי מִתִּיקָה שָׁנָה הוֹאִיל וְרֵאוּיִן
לְמִתְקָה קְדִירָה. טַעֲמָא דְחָזוּ לְמִתְקָה אֶת
הַקְדִירָה – הָא לֹא הָכִי לֹא! הֵכָא נִמְי
חָזוּ לְמִתְקָה.

They taught this *halakha* in the case of **sweet types**, because they are fit to be mixed together **to sweeten** the food in a **pot**. The Gemara infers: **The reason** that they join together with one another is **that they are suitable to sweeten** the food in a **pot** together. However, if **that is not so**, then they **do not** join together with one another. Apparently, spices, in general, do not join together to constitute a complete measure. The Gemara answers: **Here, too**, the mishna is referring to a case where **they are suitable to sweeten** the food in a pot.

קְלִיפֵי אֶגְזִיזִין וְקְלִיפֵי רְמוֹנִים, סָטִים
וּפּוֹאֶה – בְּדִי לְצַבּוֹעַ בְּגָד קָטָן. וּרְמִינָה:
הַמוֹצֵיא סִמָּנִים שְׂרוּיִין – בְּדִי לְצַבּוֹעַ
בֶּהָן דּוֹגְמָא לְאִירָא! (הָא אֵיתָמַר עָלֶיהָ)
אָמַר רַב נַחֲמָן אָמַר רַבָּה בְּרַב אֲבוּהֵ:
לְפִי שְׂאִינן אָדָם טוֹרַח לְשִׁרְוֹת סִמָּנִים
לְצַבּוֹעַ בֶּהָן דּוֹגְמָא לְאִירָא.

We learned in the mishna: The measure that determines liability for carrying out **nutshells, pomegranate peels, safflower and madder**, which are used to produce dyes, is **equivalent** to that which is used to **dye a small garment** that is placed atop a woman's hairnet. And the Gemara raised a **contradiction** from what we learned elsewhere in a mishna: **One who carries out herbs** that were soaked in water is liable if he carried out a measure **equivalent** to the amount used to **dye a sample** the size of a stopper, for the **shuttle** of a loom. This refers to a small swath of wool that a weaver places on the loom, as a color sample. The herbs were soaked in water because this was how they were prepared for use as dyes. Apparently, according to this Gemara, the measure for liability is not is the amount used to dye a small garment. The Gemara replies: **Wasn't it stated with regard to that mishna that Rav Nahman said that Rabba bar Avuh said:** In the case of soaked dyes, the measure for liability is smaller **because a person does not go to the trouble to soak herbs just to dye a sample for the shuttle** of a loom. He will only begin soaking herbs to dye a more significant garment. However, for herbs that are soaking and are ready for use as a dye, the measure for liability is smaller, i.e., sufficient to dye a sample.

”מִי רְגָלִים” תָּנָא: מִי רְגָלִים עַד בֶּן
אַרְבָּעִים יוֹם. ”נָתַר.” תָּנָא: נָתַר
אֶלְכָסְנִידִית, וְלֹא נָתַר אֲנַפְנָטְרִין.
”בּוֹרִית.” אָמַר רַב יְהוּדָה: זֶה חוֹל.
וְהַתֵּנָא: הַבּוֹרִית וְהַחוֹל! אֵלָּא, מֵאֵי
בּוֹרִית – בְּבִרְתָּא.

The mishna mentioned abrasive materials used for laundry, among them **urine**. The Gemara clarifies the nature of the listed materials. The Sages taught in a *baraita*: The urine mentioned in the mishna is **urine^H that is up to forty days old**.^N After that, its acidity weakens, rendering it unsuitable for that purpose. With regard to the **natron**, the Sage taught in a *baraita*: This refers to **Alexandrian natron** from the city in Egypt, and **not to natron from Anpantrin**,^B which is of a different quality. With regard to the *borit* mentioned in the mishna, Rav Yehuda said: **That is sand**. The Gemara asks: **Wasn't it taught in a baraita: Borit and sand?** Since both terms are listed, *borit* cannot be sand. **Rather, what is borit? It is sulphur.**

BACKGROUND

קָתַר – Alexandrian natron and natron from Anpantrin – אֶלְכָסְנִידִית וְנָתַר אֲנַפְנָטְרִין. The difference between these two types of natron relates to where they are produced, the method

of production, and their quality. Alexandrian natron exists in mineral form in Egypt and is exported via the port of Alexandria. Natron made in Anpantrin, in Eretz Yisrael, is made from plants.

HALAKHA

Urine can be used as a laundry detergent. Urine – מִי רְגָלִים: Urine can be used as a laundry detergent. As a result, if it is less than forty days old, it is prohibited to carry it out, as per the Rambam's Commentary on the Mishna (Rambam Sefer Zemanim, Hilkhos Shabbat 18:8).

NOTES

מִי רְגָלִים עַד בֶּן אַרְבָּעִים יוֹם – מִי רְגָלִים: Urine that is up to forty days old – Some commentaries explain that this refers to the urine of an infant who is less than forty days old (see *Tosafot*).

NOTES

Anything that has a root – כל שיש לו עיקר – According to one commentary, this phrase refers to any vegetable that has a root that is inedible, but fruits or leaves that are edible. The *halakhot* of the Sabbatical year apply to those plants, including the obligation to remove all Sabbatical year produce from one's possession once it is out of season. However, the *halakhot* of the Sabbatical year do not apply to a plant that does not have a separate root, e.g., a radish, whose root is eaten (Ritva).

One who carries out sacred objects – המוציא דברי – The conclusion drawn from the mishna is that even Rabbi Shimon agrees, with regard to the stones of the altar, that one is liable. Indeed, that is stated explicitly in the Jerusalem Talmud. The disagreement between Rabbi Yehuda and Rabbi Shimon is with regard to carrying out idols to be burned or cast into the Dead Sea (Ramban).

A virgin rosebud – בתולת הוורד – According to Rav Hai Gaon's version of the Gemara, a virgin rosebud is a red, embroidered, decorative ornament that looks like a rose and is known as *petilat havered*.

BACKGROUND

Eshlag – אשלג: The identity of the various soap plants mentioned in the Gemara is uncertain. From the Gemara it appears that even then, in the amoraic era, these matters were unclear. Nevertheless, we can learn from Shmuel's depiction that *eshlag* is produced from seaweed, which grew in those places in the sea where pearls are found. Natron and other soap components were produced from *eshlag*.

Headache – צילחטא – All commentaries identify this term with a migraine headache. Apparently, tar was used as a remedy due to its strong odor.

מיתבי: הוסיפו עליהן החלביצין, והלענינו, והבורית, והאהל. ואי סלקא דעתך כבריתא, כבריתא מי איתא בשביעית? (והתנן): זה הכלל: כל שיש לו עיקר – יש לו שביעית, ושאיין לו עיקר – אין לו שביעית! אלא, מאי בורית – אהל! (אלא) תרי גוויי אהל! ואהל! (אלא) תרי גוויי אהל!

”קמוליא”. אמר רב יהודה: שלוף דזץ. “אשלג”. אמר שמואל: שאילתינהו לכל נחותי ימא, ואמרו לי: שונאנה שמייה, ומשתכח בנקבא דמרגמיתא, ומפקי ליה ברמצא דפרזלא.

מתני' פלפלת כל שהוא. ועטרן כל שהוא מיני בשמים ומיני מתכות – כל שחן. מאבני המזבח ומעפר המזבח, מקק ספרים ומקק מטפחותיהם – כל שהוא. שומצניעין אותן לגונון. רבי יהודה אומר: אף המוציא משמשי עבודה זרה – כל שהוא, שנאמר: “ולא ידבק בידך מאומה מן החרם”.

גמ' “פלפלת כל שהוא” למאי חזיא? לריח הפה. “עטרן כל שהוא”. למאי חזיא – לצילחטא. “מיני בשמים כל שחן”. תנו רבנן: המוציא ריח רע – כל שהוא. שמן טוב – כל שהוא. ארגמן – כל שהוא, ובתולת הוורד אחת.

”מיני מתכות כל שחן”. למאי חזיא? תנא, רבי שמעון בן אלעזר אומר: שכן ראוי לעשות ממנה דרך קטן.

The Gemara raises an objection based on plants whose use is prohibited during the Sabbatical year. They added bulbs of ornithogalum and wormwood, and *borit*, and aloe. And if it would enter your mind to say that *borit* is sulphur, is there sulphur that is subject to the *halakhot* of the Sabbatical year? Didn't we learn in a mishna that this is the principle: Anything that has a rootⁿ and grows is subject to the *halakhot* of the Sabbatical year, and anything that does not have a root is not subject to the *halakhot* of the Sabbatical year. Rather, what is the *borit*? It is aloe. The Gemara asks: Wasn't it taught in a *baraita*: And *borit* and aloe? Since both terms are listed, *borit* cannot be aloe. Rather, there are two types of aloe. One of them is called *borit*.

With regard to the *cimolian earth* mentioned in the mishna, Rav Yehuda said: This is the earth referred to as *pull out stick in [shelof dotz]*. With regard to the *eshlag*^b mentioned in the mishna, Shmuel said: I asked all of the seafarers with regard to the identity of *eshlag*, and they told me that it is called *shonana*, and can be found in the shell of the pearl, and is removed using a iron skewer.

MISHNA The measure that determines liability for carrying out pepper on Shabbat is any amount. Similarly, the measure that determines liability for carrying out tar^h is any amount. The measure that determines liability for carrying out various kinds of perfumes and various kinds of metals is any amount. The measure that determines liability for carrying out stones of the altar or earth of the altar, sacred scrolls or their coverings^{nh} that became tattered due to an insect called *mekek* that destroys scrolls, and *mekek* that destroys their coverings, is any amount. That is because people store them in order to bury them, due to their sanctity, and accord significance to even a small measure of those items. Rabbi Yehuda says: Even one who carries out accessories of idolatry on Shabbat is liable for carrying out any amount, as it is stated: “And there shall cleave nothing of the proscribed items to your hand” (Deuteronomy 13:18). Since even the smallest amount is prohibited and must be burned, any amount is significant.

GEMARA The Gemara asks: For what use is any amount of pepper suited? The Gemara answers: For dispelling mouth odor. For what use is any amount of tar suited? It is suited for curing a headache.^b We learned in the mishna that one is liable for carrying out any amount of various kinds of perfumes on Shabbat. The Sages taught in a *baraita*: Even one who carries out an object with a foul odor^h on Shabbat for medicinal or similar purposes, is liable for carrying out any amount. The measure that determines liability for carrying out fine perfumed oil is any amount. The measure that determines liability for carrying out purple dye is any amount. The measure that determines liability for carrying out a virgin rosebud^{nh} on Shabbat is one bud.

We learned in the mishna: The measure that determines liability for carrying out various kinds of metals^h is any amount. The Gemara asks: For what use is any amount of metal suited, that it renders one liable for carrying it out? It was taught in a *baraita*: Rabbi Shimon ben Elazar says: Because a small amount of iron is fit to make a small nail.

HALAKHA

Pepper and tar – פלפלת ועטרן: With regard to carrying out pepper or tar that can be used medicinally on Shabbat, the measure for liability is any amount (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:5).

Broken pieces of sacred articles – שבבי תשמישי קדושה: With regard to carrying out fragments of broken sacred articles, such as tattered holy books or objects used in the Temple, the measure for liability is any amount. These fragments are significant because they are kept and placed in storage in order to bury them (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:5).

Perfumes and a foul odor – בשמים וריח רע: With regard to carrying

out spices, oils, or foul-smelling objects used medicinally, the measure for liability is any amount, as per the mishna and the *baraita* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:5).

Purple dye and a virgin rosebud – ארגמן ובתולת הוורד: The measure that determines liability for carrying out a virgin rosebud on Shabbat is one bud. For purple dye, the measure for liability is any amount (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:5).

Various kinds of metals – מיני מתכות: The measure that determines liability for carrying out hard metals on Shabbat is any amount (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:5).

Types of insects – מיני חרקים: With regard to the different insects mentioned in the Gemara, there is neither an oral nor a written tradition that would enable their identification with any degree of certainty. Perhaps the *tekhakh* that attacks silk is the *Tineola bisselliella*, the clothing moth, and perhaps the *pe* that eats figs is the *Ceroplastes rusci*, the fig wax scale. The *ha* that eats pomegranates is the *Virachola livia*, the pomegranate butterfly.

And the *ha* that eats pomegranates – זחל דרימוני: Apparently, the *ha* of pomegranates is the *Virachola livia*, the pomegranate butterfly. This butterfly lays its eggs in the fruit of the pomegranate and acacia trees. The larvae burrow holes into the peel of the fruit and enter it, causing considerable damage to the fruits. When they reach their full size, up to 18 mm, they metamorphose into a butterfly with brown, blue-streaked wings. Their wingspan can reach up to 32 mm.



Mature female pomegranate butterfly

NOTES

Garden seeds – זרעוני גינה: The ruling of Rabbi Yehuda ben Beteira is more stringent than that of the Rabbis. However, he would agree with the Rabbis that one who carried fewer than five seeds, which totaled a fig-bulk, is liable for carrying out (*Adderet Eliyahu*).

תנו רבנן: האומר "הרי עלי ברזל", אחרים אומרים: לא יפחות מאמה על אמה. למאי חזיא? – אמר רב יוסף: לכליאי עורב. ואיבא דאמרי, אחרים אומרים: לא יפחות מכליאי עורב. וכמה? אמר רב יוסף: אמה על אמה. "נחשת" – לא יפחות ממעה בסף. תניא, רבי אליעזר אומר: לא יפחות מצנינורא קטנה של נחשת. למאי חזיא? אמר אביי: שמתחטטין בה את הפתילות, ומקנחין הנרות.

Since the Gemara is discussing the measure that determines liability for carrying out metal on Shabbat, it discusses the related *halakhot* of objects consecrated to the Temple. **The Sages taught in a *baraita*:** In the case of **one who vows without specifying an amount, and says:** It is incumbent upon me to donate **iron** to the Temple,¹ **A^herim say:** He must donate **no less than a cubit by a cubit** of iron. The Gemara asks: **For what use is metal that size suited?** Rav Yosef said: **For a raven impediment.** The roof of the Temple was covered with iron surfaces with protruding nails to prevent ravens from perching there. **And some say a slightly different version. A^herim say:** He must donate **no less than the iron necessary for a raven impediment.** And how much iron is that? Rav Yosef said: **A cubit by a cubit.** One who vows to donate **copper must donate no less than the value of a *ma'a* of silver.** It was taught in a *baraita* that Rabbi Eliezer says: **One must donate no less than the amount needed to forge a small copper hook.** The Gemara asks: **For what Temple use is that suited?** Abaye said: **They use it to scrape the wicks from the candelabrum, and clean the lamps with it.**

"מקק ספרים ומקק מטפחת." אמר רבי יהודה: מקק דסיפרי, תכך דשיראי, ואילא דעינבי, ופה דתאיני, והה דרימוני – כולהו סכנתא. ההוא תלמידא דההו יתב קמיה דרבי יוחנן, הוה קאכיל תאיני, אמר ליה: רבי, קוצין יש בתאינים? אמר ליה: קטליה פה לדין.

We learned in the mishna: The measure that determines liability for carrying out sacred scrolls or their coverings that became tattered due to an insect called *mekek* that destroys **scrolls**, and another type of *mekek* that destroys their **coverings**, is any amount. Rabbi Yehuda said: These insects,² the *mekek* that destroys **scrolls**, the *tekhakh* that attacks **silk**, and the *ila* that eats **grapes**, and the *pe* that eats **figs**, and the *ha* that eats **pomegranates**,³ **all pose danger to one who swallows them.** The Gemara relates: **A certain student was sitting before Rabbi Yohanan and was eating figs.** The student said to Rabbi Yohanan: **My teacher, are there thorns in figs?** Rabbi Yohanan said to him: **The *pe* killed that fellow.** The insect in the fig had punctured the student's throat.

מתני' המוציא קופת הרוכלין, אף על פי שיש בה מיני הרבה – אינו חייב אלא חטאת אחת. זרעוני גינה – פחות מכגורגרת. רבי יהודה, בן בתירה אומר: חמשה,

MISHNA One who carries out a merchant's basket,⁴ even if there are many types of spices and jewelry in it, is obligated to bring **only one sin-offering**, because he performed only one act of carrying out. The measure that determines liability for carrying out **garden seeds**^{5H} on Shabbat is **less than a fig-bulk.** Rabbi Yehuda ben Beteira says: The measure for liability is **five seeds.**

HALAKHA

Measures of donated objects – שיעורי נדבות: One who donates a silver coin to the Temple must give no less than a silver dinar. One who vows to donate a copper coin must give at least the copper equivalent of a *ma'a* of silver. One who donates iron to the Temple must give at least a square cubit of iron, which can be used in installing a raven impediment (Rambam *Sefer Hafla'a*, *Hilkhot Arakhin* 2:9).

A merchant's basket – קופת הרוכלין: One who carries out

a merchant's basket on Shabbat is liable to bring only one sin-offering, even if it contained different types of objects (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:28).

Garden seeds – זרעוני גינה: With regard to carrying out inedible garden seeds on Shabbat, the measure for liability is less than a dried fig-bulk. The measure that determines liability for carrying out cucumber, squash, or Egyptian bean seeds is two seeds (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:6).

NOTES

Live kosher locust – **הַגִּבּוֹ הַיָּדוֹשׁ**: According to the Jerusalem Talmud, Rabbi Yehuda maintains that one may not use a live kosher locust for any purpose. It is inappropriate to play with food.

Tziporet keramim – **צִפּוֹרֶת כְּרָמִים**: In the Jerusalem Talmud the opinion is cited that the *tziporet keramim* serves as a talisman for sick women.

BACKGROUND

Tziporet keramim – **צִפּוֹרֶת כְּרָמִים**: Modern scholars have been unable to arrive at a clear conclusion with regard to the identity of the *tziporet keramim*. However, based on the sources, it seems to be a close relative of the common locust. Some suggest that it is the Egyptian locust, the *Anacridium aegyptium*, which is the largest species of locust in the East. The length of the female reaches up to 9 cm. Its color is reddish-yellow, and its wings are grey-brown.



Brightly colored locust

Palm fronds and vines – **צוּרֵי דָקֶל וְתוּרֵי דָקֶל**: The *ge'onim* explain that palm fronds are palm leaves that are split into two or four, and then woven into ropes. Palm vines are fibers peeled off of the tree itself and used as thread in sewing.

זֶרַע קִישׁוּאִין – שְׁנַיִם, זֶרַע דִּילּוּעִין – שְׁנַיִם, זֶרַע פֹּל הַמַּצְרִי – שְׁנַיִם, חֶגְבַּ חֵי טָהוֹר – כָּל שְׁהוּא, מֵת – בְּגִזְגֹּרֶת, צִפּוֹרֶת כְּרָמִים, בֵּין חֵיהּ בֵּין מֵתָה – כָּל שְׁהוּא, שְׂמַצְנִיעִין אוֹתָהּ לְרִפּוּאָה, רַבִּי יְהוּדָה אֹמֵר: אִף הַמוֹצִיא חֶגְבַּ חֵי טָמֵא – כָּל שְׁהוּא, שְׂמַצְנִיעִין אוֹתוֹ לְקַטֵּן לְשִׁחּוֹק בּוֹ.

גמ' וּרְמִינָהּ: זָבֵל וְחוֹל הַדֶּק בְּדִי לְזֵבֵל קָלַח שֶׁל כְּרוּב, דְּבָרֵי רַבִּי עֲקִיבָא, וְחֻכְמִים אֹמְרִים: בְּדִי לְזֵבֵל כְּרִישָׁא! אָמַר רַב פָּפָא: הָא – דְּזוּרִיעַ, הָא – דְּלֹא זוּרִיעַ, לְפִי שְׂאִין אָדָם טוֹרַח לְהוֹצִיא מִמָּא אַחַת לְזוּרִיעַ.

”זֶרַע קִישׁוּאִין”. תִּנּוּ רַבֵּנּוּ: הַמוֹצִיא גִרְעִינִין, אִם לְנֻטִיעָה – שְׁתַּיִם, אִם לְאַכִּילָה – כְּמֵלֵא פִי חֲזוֹר, וְכֵמָּה מֵלֵא פִי חֲזוֹר – אִם לְהַסִּיק – בְּדִי לְבִשֵׁל בִּיצָה קְלָה, אִם לְחֻשְׁבוֹן – שְׁתַּיִם. אֲחֵרִים אֹמְרִים: חֲמִשָּׁה. תִּנּוּ רַבֵּנּוּ: הַמוֹצִיא שְׁנֵי נִמְיִין מִזֵּבֵל הַסּוּם וּמִזֵּבֵל הַפֶּרֶה – חֵיב, שְׂמַצְנִיעִין אוֹתָן לְנִישְׁבִּין. מִקְשָׁה שֶׁל חֲזוֹר – אַחַת, צוּרֵי דָקֶל – שְׁתַּיִם, תוּרֵי דָקֶל – אַחַת.

The measure that determines liability for carrying out **cucumber seeds** is **two seeds** because they are large and conspicuous. The measure that determines liability for carrying out **squash seeds** is **two seeds**. The measure that determines liability for carrying out **seeds of Egyptian beans** is **two**. The measure that determines liability for carrying out a **live kosher locust**^{NH} is **any amount**. For carrying out a **dead kosher locust**, which is edible, it is the same as any other food, a **fig-bulk**. The measure that determines liability for carrying out the locust called *tziporet keramim*,^{NHB} whether dead or alive, is **any amount**; this is because **one stores them for medicinal purposes** or as a talisman, which renders even a small quantity significant. **Rabbi Yehuda says: Even one who carries out a live non-kosher locust** is liable for carrying out **any amount**, because **people store locusts for a child who wants to play with it**.

GEMARA We learned in the mishna the measure that determines liability for carrying out garden seeds on Shabbat. And the Gemara raised a contradiction from what we learned: The measure that determines liability for carrying out **compost and fine sand** on Shabbat is **equivalent** to that which is used to **fertilize a cabbage stalk**; this is the **statement of Rabbi Akiva**. And the Rabbis say: **Equivalent** to that which is used to **fertilize a single leek**. Even a single plant is a significant amount. **Rav Pappa said: This** smaller measure applies to a case where the seed was already **planted** and growing. In that case, one carries out manure to fertilize one plant. **That** larger measure applies to a case where the seed was **not yet planted**, because a person does not go to the **trouble to carry out a single seed for planting**.

With regard to what the mishna said about the measure for carrying out **cucumber and squash seeds**, the Sages taught: **One who carries out date pits**^H on Shabbat, if he did so in order to **plant**, he is liable for carrying out **two pits**. If he did so in order for the animals to eat, he is liable for carrying out **enough to fill a pig's mouth**. And how much is enough to fill a pig's mouth? **One date pit**. If he did so in order to **burn** the pits, the measure that determines liability is **equivalent** to that which is used to **cook an easily cooked egg**. If he carried them out in order to use them to **count**, the measure for liability is **two pits**. *Aherim* say the measure for liability is **five pits**. A person is capable of keeping track of up to five items without help. **The Sages taught: One who carries out two hairs**^H from a horse's tail or from a cow's tail on Shabbat is liable, since **people store them to use in traps**. The measure that determines liability for carrying out **stiff hair of a pig** is **one hair**. It is significant because it is used to sew shoes. The measure that determines liability for carrying out **palm fronds** is **two fronds**, but the measure for **palm vines**,^B which are peeled off the frond and are thinner, is **one vine**.

HALAKHA

Locust – **הַגִּבּוֹ**: With regard to carrying out a live kosher locust on Shabbat, the measure for liability is any size. For carrying out a dead kosher locust on Shabbat, the measure for liability is a dried fig-bulk (Rambam *Sefer Zemanim, Hilkhos Shabbat* 18:18).

Tziporet keramim – **צִפּוֹרֶת כְּרָמִים**: With regard to carrying out *tziporet keramim*, or other objects that people store for medicinal purposes, whether dead or alive, the measure for liability is any amount (Rambam *Sefer Zemanim, Hilkhos Shabbat* 18:18).

One who carries out date pits – **הַמוֹצִיא גִרְעִינִים**: With regard to carrying out date pits for animal feed, the measure for liability is five. In the variant reading of the Rambam, it does not say that one pit is enough to fill a pig's mouth. The measure that

determines liability for carrying out pits for planting or counting is two. The measure that determines liability for carrying out pits for burning is the same as the measure that determines liability for firewood. This is in accordance with the *Tosefta*, which agrees with the mishna (Rambam *Sefer Zemanim, Hilkhos Shabbat* 18:7).

One who carries out two hairs – **הַמוֹצִיא שְׁנֵי נִמְיִין**: The measure that determines liability for carrying out hair from a horse's tail is two, for carrying out the stiff hair of a pig is one. The measure that determines liability for carrying out palm fronds is two and for one palm strip is one (Rambam *Sefer Zemanim, Hilkhos Shabbat* 18:13).

”ציפורת כרמים, בין חיה בין מתה – כל שהיא.” מאי ציפורת כרמים? אמר רב: פליא ביארי. אמר אביי: ומשתכח בדיקלא דחד נבארא, ועבדי לה לחובמא. אכיל ליה לפלגא דימיניה, ופלגא דשמאליה רמי לה בגובתא דנחשא, וחתים לה בשיתין גושפנקי, ותלי לה באיברא דשמאלא. וסימנך ”לב חכם לימינו ולב כסיל לשמאלו.” וחתים כמה דבעי, וגמר כמה דבעי, ואכיל ליה לאידך פלגא, דאי לא – מיפקר תלמודו.

”רב יְהוּדָה אומר אף המוציא כו.” ותנא קמא סבר לא, מאי טעמא – דילמא אכיל ליה. אי הכי, טהור נמי; דהא רב כהנא הוה קאים קמיה דרב, והוה קמעבר שושיבא אפומיה, אמר ליה: שקליה, דלא לימרו מיכל קאכיל ליה, וקעבר משום ”בל תשקצו את נפשותיכם!” אלא, דילמא מייית ואכיל ליה. ורב יְהוּדָה: אי מייית – קטן מיספד סמיד ליה.

הדרן עלך אמר רבי עקיבא

We learned in the mishna: With regard to carrying out the locust called *tziporet keramim*, whether dead or alive, the measure for liability is **any amount**. This is because one stores them for medicinal purposes or as a talisman, which renders even one locust significant. The Gemara asks: **What is *tziporet keramim*?** Rav said: It is the locust called *palya biari*. Abaye said: And it can be found in a palm tree that has only one vine, and it is used as a talisman for wisdom. One eats its right half, and casts its left half into a copper tube, and seals it with sixty seals, and hangs it on his left arm. And the mnemonic reminding you which half to eat and which half to hang on the arm is the verse: “**A wise heart to his right and a foolish heart to his left**” (Ecclesiastes 10:2). And one then grows wise as much as he wants, and studies as much as he wants, and then eats the other half, as if he does not do so, his learning will be forgotten.

We learned in the mishna that Rabbi Yehuda says: **Even one who carries out a live non-kosher locust is liable for carrying out any amount**, because people store locusts for play. The Gemara explains: **And the first *tanna* holds that people do not give children non-kosher locusts for play. What is the reason for this?** Due to the concern that **perhaps the child will eat it**. And the Gemara asks: **If so, it should also be prohibited to give a child a kosher locust, lest the child will eat it**, as the Gemara related that Rav Kahana stood before Rav and passed a live kosher locust near his mouth. Rav said to Rav Kahana: **Put it down**, so that people will not mistakenly say: **He is eating it and violating the prohibition of “You shall not make yourselves detestable”** (Leviticus 11:43). Apparently, eating a kosher locust is prohibited while it is alive. **Rather**, even according to the unattributed mishna, there is no room for concern that a young child will eat a locust with which he is playing. The reason that the first *tanna* prohibits giving a non-kosher locust to a child for play is the concern that **perhaps it will die and he will eat it**. And Rabbi Yehuda, who permits giving a non-kosher locust to a child for play, does not share that concern. **If the locust dies, the child will eulogize it and mourn its death, and certainly would not eat it.**

Summary of Perek IX

In this chapter, very few matters directly related to the laws of Shabbat were discussed. Most of the chapter was devoted to diverse halakhic and aggadic subjects, which relate to each other in superficial form only and not in actual content.

Only the very last mishna in this chapter related back to the subject matter of Chapter Eight, namely, the measures that are considered significant with regard to the prohibition of carrying from one domain to another on Shabbat. The other topics treated include discussions of ritual purity and impurity, specifically: The impurity of idols, the status of sea vessels with regard to ritual purity, laws related to abstaining from conjugal relations at specified times, and the laws of prohibited mixtures of species. What all of these *halakhot* have in common is that they are not based primarily upon the Written Torah. Rather, they were derived either from Sinaitic tradition or from rabbinic mandates and safeguards, or they were homiletic explications of biblical verses that support the *halakhot* in question but were, essentially, merely *asmakhtot*, suggestive hints.

This chapter contained a passage which is generally considered one of the most difficult in the entire Talmud, the passage known as *aruga*, meaning furrow. The discussion here focused on the complex laws of forbidden mixtures of seeds, which most halakhic authorities consider to be essentially of rabbinic origin. This passage was an excellent example of how the Talmud discusses, in detail, issues that do not derive from real-life circumstances but are hypothetical in nature. Such discussions are paradigmatic of studying Torah for its own sake, inasmuch as they thoroughly analyze every conceivable aspect of the subject at hand.

With regard to the laws of ritual purity and impurity, the chapter focused on three exceptional examples. The impurity of idols has, as its source, a rabbinic decree designed to completely distance the Jew from the worship of alien divinities. Therefore, in addition to the biblical prohibitions against using and possessing idolatrous images and figures, the rabbis instituted stringencies against even touching them.

The laws pertaining to the ritual impurity of semen, based upon explicit verses in the Torah, were expanded significantly by the Sages. These laws have implications for Jewish practice to this very day with regard to the purification of a menstruating woman. In addition, the *halakhot* governing the ritual purity of ships were also discussed here.

A significant portion of Chapter Nine was devoted to the topic of the giving of the Torah, or the Revelation. The chapter included a very detailed discussion of the precise determination of the date of the giving of the Torah and the extent to which this date coincides with the festival of *Shavuot*. The chapter also included much aggadic material describing the miraculous way in which the Torah was given to the Jewish people.

Introduction to Perek X

This chapter, like the previous ones, discusses the category of creative labor [*melakha*] known as carrying out. However, its primary focus is to clarify one aspect of this category.

Until this point, the discussions have focused on the volume of the object being carried out. In other words, what is the volume necessary for an object to be considered significant? Only a significant object renders its carrier liable for this labor. This chapter, however, deals with the manner in which the carrying is performed. Under which conditions are the actions involved in the carrying considered to have been performed in a standard and customary manner, so that the act qualifies as bona fide carrying, and under which conditions is the act done in what is considered an unusual manner, so that the person is not liable for bona fide carrying?

Furthermore, if the carrying is performed by means of a vessel or utensil, what are the halakhic issues that then come into play? Do we assess the action in terms of the essence of what is being carried, i.e., the object in the vessel, or is the vessel itself also of import? For example, how do we assess the action if the vessel contains a measure of the object that is less than the minimum amount required for the person to be judged liable for carrying? To give another example, how do we assess the action if the vessel itself has been only partially removed from its domain, but the entire contents of the vessel are already in the other domain? Do we determine liability based on the container or based on the object contained?

The following question arises frequently with regard to the primary category of carrying out, but it is also relevant to other categories of creative labor: What is the rule for labor done by more than one person? Do we consider all those involved in the labor equally liable, are only some of them liable, or are they all perhaps exempt from punishment?

The clarification of these issues, as well as several matters that complete the topic of the fundamental rules of minimum measures, form the basis of this chapter.

מתני' המצניע לזרע ולדוגמא ולרפואה והוציאו בשבת – חייב בכל שהוא, וכל אדם אין חייב עליו אלא כשיעורו. חזר והכניסו – אינו חייב אלא כשיעורו.

גמ' למה ליה למיתני "המצניע"? ליתני "המוציא לזרע ולדוגמא ולרפואה חייב בכל שהוא"! אמר אביי: הקא במאי עסקינן – בגזון שהצניעו, ושכח למה הצניעו, והשתא קא מפיק ליה סתמא.

מהו דתימא: בטולי בטלה מחשבתו, קא משמע לן: כל העושה – על דעת ראשונה הוא עושה.

אמר רב יהודה אמר שמואל: מחייב היה רבי מאיר אף במוציא חטה אחת לזריעה. פשיטא, 'כל שהוא' תנן! מהו דתימא: כל שהוא – לאפוקי מגרונות, ולעולם עד דאיכא ביזת, קא משמע לן. מתקיף לה רב יצחק בריה דרב יהודה: אלא מעתה, חייב להוציא כל ביתו – הכי נמי דלא מיחייב עד דמפיק לכוליה? התיב – בטלה דעתו אצל כל אדם.

MISHNA One who stores a seed for sowing,^H or as a sample, or for medicinal purposes and carried it out on Shabbat is liable for carrying out any amount. By storing that measure, he indicates that it is significant to him. Therefore, he is liable for carrying it, despite the fact that what he carried out is less than the halakhic measure that determines liability for that item. And any other person is only liable for carrying it out on Shabbat if he carries out its measure for liability. If one stored the seed, carried it out, and then brought it back in, with no intention to utilize it for the specific purpose for which he stored it, he is only liable if he brought in its measure for liability (Rav Shmuel Strashun).

GEMARA The Gemara asks: Why does the mishna teach: One who stores a seed for a specific purpose and carried it out? Let the mishna simply teach: One who carries out a seed for planting, or as a sample, or for medicinal purposes is liable for carrying out any amount. One is not liable for storing the seed. He is liable for carrying out less than the measure that determines liability because he attributed significance to that measure. Abaye said: With what we are dealing here? We are dealing with a case where one stored it for a specific purpose and forgot why he stored it,^{HN} and now he carries it out for no specific purpose.

HALAKHA

המצניע לזרע – One who stores seeds for sowing, for medicinal purposes, or as a sample is liable for carrying out any amount of those seeds for those purposes on Shabbat. However, others are liable only if they carried out the halakhic measure that determines liability for carrying out seeds on Shabbat (Rambam *Sefer Zemanim, Hilkhot Shabbat* 18:20).

בגזון – שכח למה הצניע – If one stored less than the measure that determines liability of a certain object, forgot why he stored it, and carried it out on Shabbat, he is liable for carrying out any amount, because when he carried it out, he had in mind the intention that he had when he stored it (Rambam *Sefer Zemanim, Hilkhot Shabbat* 18:21).

NOTES

ושכח למה הצניע – The Gemara means that one remembers that he stored it for a specific purpose but forgot what that purpose was. If one forgot entirely that he had stored the object, all authorities agree that he is no different from anyone else (*Tosefot Rid*).

NOTES

His intention is rendered irrelevant by the opinions of all other people – **בטלה דעתו אצל כל אדם**: One's intentions are capable of according significance to an object even when most others do not consider the item significant. However, one cannot say that the set halakhic measure that determines liability is insignificant to him. In that case, his opinion is irrelevant (Ramban, Rashba, and see *Tosafot*).

Lest you say that in doing so his original intention is completely nullified, since when he carries it out he is no longer conscious of the reason that he stored it, the *tanna* of the mishna teaches us that anyone who performs an action with an object with which he had dealings in the past, performs the action with the original intention in mind.

Rav Yehuda said that Shmuel said: Rabbi Meir deemed liable one who carried out even a single wheat seed for sowing on Shabbat. The Gemara asks: This is obvious. We learned in the mishna that the measure that determines liability for one who carries out seeds for sowing on Shabbat is any amount. Since the principle is that an unattributed mishna is in accordance with the opinion of Rabbi Meir, clearly Rabbi Meir would deem him liable for carrying out one seed. He would even deem him liable for carrying out less than one seed. The Gemara answers that Shmuel's statement was necessary. Lest you say that when the mishna employs the term any amount it is to exclude the standard measure for carrying out food on Shabbat, a dried fig-bulk; and actually one is only liable if there is at least an olive-bulk of whatever he is carrying out. Therefore, Shmuel teaches us that any amount refers to even a single seed. Rav Yitzhak the son of Rav Yehuda strongly objects to this: But now, based on the approach that the measure of liability depends solely on the intention of the person carrying out the object and not on objective measures, one who planned to carry out the contents of his entire house at once, so too, is he only liable when he carries it out at once? The Gemara answers: There is no comparison. There, with regard to a person who plans to carry out the contents of his entire house, his intention is rendered irrelevant by the opinions of all other people,^N as most people do not conduct themselves in that manner.

”וְכָל אָדָם אֵין חַיִּיבִין עָלָיו אֶלָּא כְּשִׁיעוּרָא.” מִתְנִינַן דְּלֵא כְּרַבִּי שְׁמַעוֹן בֶּן אֶלְעָזָר. דְּתַנִּיא, כָּל אֶמְרֵי רַבִּי שְׁמַעוֹן בֶּן אֶלְעָזָר: כֹּל שְׂאִינוּ בְּשׁוּר לְהַצְנִיעַ, וְאִין מַצְנִיעִין כְּמוֹהוּ, וְהוֹכֵשׁ לוֹה וְהַצְנִיעוּ, וְכֵא אַחֵר וְהוֹצִיא – נִתְחַיֵּב זֶה בְּמַחֲשַׁבְתּוֹ שֶׁל זֶה.

אָמַר רַבָּא אֶמְרֵי רַב נַחֲמָן: הוֹצִיא כְּגוֹרֶגֶת לְאֶכִילָה, וְנִמְלֵךְ עָלֶיהָ לְזִרְעָה, אֵין נִמְי, לְזִרְעָה וְנִמְלֵךְ עָלֶיהָ לְאֶכִילָה חַיִּיב. פְּשִׁיטָא, וְיָל הֵכָא – אֵיכָא שְׁעוּרָא, וְיָל הֵכָא – אֵיכָא שְׁעוּרָא! מַהוּ דְּתִנְמָא: בְּעִינָן עֲקִירָה וְהִנֵּחָה בְּחֵדָא מַחֲשָׁבָה, וְהָא יֵלִיכָא. קָא מְשַׁמַּע לָן.

בְּעִי רַבָּא: הוֹצִיא חֲצִי גְרוֹגֶרֶת לְזִרְעָה, וְתַפְחָה, וְנִמְלֵךְ עָלֶיהָ לְאֶכִילָה מַהוּ? אִם תִּמְצִי לֹמֵר: הֵתֵם הוּא דְּמִיחַיִּיב – דְּיָל הֵכָא אֵיכָא שְׁעוּרָא, וְיָל הֵכָא אֵיכָא שְׁעוּרָא: הֵכָא, בֵּין דְּבִיעֵדָנָא דְּאַפְקָה לָא הָוָה בֵּיהּ שְׁעוּרָא אֶכִילָה – לָא מִיחַיִּיב, אוּ דִילְמָא: בֵּין דְּאִילוּ אִישְׁתִּיק וְלֵא חֲשִׁיב עָלֶיהָ – מִיחַיִּיב אִמְחַשְׁבָּה דְּזִרְעָה, הִשְׁתָּא נִמְי מִיחַיִּיב.

וְאִם תִּמְצִי לֹמֵר: בֵּין דְּאִילוּ אִישְׁתִּיק וְלֵא חֲשִׁיב עָלֶיהָ מִיחַיִּיב אִמְחַשְׁבָּה דְּזִרְעָה, הִשְׁתָּא נִמְי מִיחַיִּיב, הוֹצִיא כְּגוֹרֶגֶת לְאֶכִילָה וְצִמְקָה, וְנִמְלֵךְ עָלֶיהָ לְזִרְעָה, מַהוּ? הֵכָא וְדָאִי כִּי אִישְׁתִּיק אִמְחַשְׁבָּה קִמְיִיתָא – לָא מִיחַיִּיב, אוּ דִילְמָא: בְּתֵר הִשְׁתָּא אֲזִלִּין, וּמִיחַיִּיב? וְאִם תִּמְצִי לֹמֵר: בְּתֵר הִשְׁתָּא אֲזִלִּין, וּמִיחַיִּיב: הוֹצִיא כְּגוֹרֶגֶת לְאֶכִילָה, וְצִמְקָה וְחִזְרָה וְתַפְחָה, מַהוּ? יֵשׁ דִּיחִי לְעִנְיָן שַׁבָּת, אוּ אֵין דִּיחִי לְעִנְיָן שַׁבָּת תֵּיקוּ.

We also learned in the mishna: **And any other person is only liable for carrying it out on Shabbat if he carries out its measure for liability.** The Gemara comments: **The mishna is not in accordance with the opinion of Rabbi Shimon ben Elazar, as it was taught in a baraita that Rabbi Shimon ben Elazar stated a principle: Anything that is not fit to be stored, and therefore people do not typically store items like it, but it was deemed fit for storage by this person and he stored it, and another person came and carried out the object that was stored, that person, who carried it out, is rendered liable by the thought of this person, who stored it.**

Rava said that Rav Nahman said: **If one carried out on Shabbat a dried fig-bulk of seeds for eating, and along the way he reconsidered and decided to use them for sowing; or, alternatively, if one intended to carry them out for sowing and reconsidered and decided to use them for eating, he is liable.** The Gemara wonders: This is obvious. Which ever way you view this case, he is clearly liable. **Go here** and examine his initial intention, **there is a measure** that determines liability; **and go here** and examine his ultimate intention, **there is a measure** that determines liability. The Gemara replies that Rav Nahman’s statement teaches a novel concept. **Lest you say** that in order to be deemed liable for carrying out an object on Shabbat, **we require** that the **lifting and placing** of the object be performed **with a single, identical, intention, and that is not** the situation here, i.e., that the change in his intention transforms his action into two separate half-labors, therefore Rav Nahman **teaches us** that it is considered a single prohibited act, and the person who performed it is liable.

On the basis of this *halakha*, Rava raised a dilemma: With regard to one who carried out half a dried fig-bulk of seeds for the purpose of sowing, which is less than the measure that determines liability, and in the meantime the seeds became moist and expanded^h to a dried fig-bulk, and he reconsidered his plans for the dried fig-bulk of seeds and decided to use it for eating, what is the *halakha*? The two sides of the dilemma are: **If you say that there, in the first case, he is liable** because **go here** and examine his initial intention, **there is a measure** that determines liability; **and go here** and examine his ultimate intention, **there is a measure** that determines liability; but **here, in this case, since at the time that he carried it out there was not a measure** that determines liability for one who carries out seeds for the purpose of eating, then **he is not liable. Or, perhaps, since had he been silent and had no intention with regard to the seeds at all, he would be liable for the intention of carrying it out for the purpose of sowing, then now too, he is liable** because, even based on his reconsidered intention, he completed the prohibited labor of carrying out.

And if you say that since **had he been silent and had no intention with regard to the seeds at all, he would be liable for the intention of carrying it out for the purpose of sowing, now too, he is liable, if he carried out seeds in the measure of a dried fig-bulk for the purpose of eating, and they shriveled^h until there was less than that measure, and he reconsidered and decided to use them for the purpose of sowing, then what is the *halakha*?** **Here, certainly had he been silent and had no intention with regard to the seeds at all, for the original intention he is not liable** because there remains less than the measure for liability; **or perhaps we follow his intention at present and he is liable. And if you say that we follow his intention at present, and he is liable, the dilemma arises: If one carried out a dried fig-bulk of seeds for the purpose of eating, and it shriveled until there was less than that measure, and then it expanded^h to a fig-bulk, what is the *halakha*?** **Is there disqualificationⁿ with regard to the *halakhot* of Shabbat?** Since at a certain point there was less than the measure that determines liability, he can no longer be held liable for carrying it out even if it expands. **Or, perhaps there is no disqualification with regard to the *halakhot* of Shabbat.** The crucial moments that determine liability for carrying an object are the moment that it is lifted and the moment that it is placed. At both of those junctures, the measure for liability was whole. No resolution was found to any of these dilemmas. Therefore, **let them stand unresolved.**

HALAKHA

פחות – פחות – **Less than a dried fig-bulk that expanded** – **מגורגרת שתפחה**: If one carried out less than a dried fig-bulk of seeds for planting, and they expanded, and he reconsidered and decided to eat them, he is liable because even according to his original intention, the measure was sufficient to render him liable. The *halakha* was ruled in accordance with the first instance of: If you say, in the Gemara, as per the ruling of the Rambam (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:26).

גורגרת שצמקה – פחות – **A dried fig-bulk that shriveled** – **If one carried out a dried fig-bulk of seeds for food, and they shriveled, and he reconsidered and decided to plant them, he is liable due to his ultimate intention, in accordance with the suggestion of: If you say, in the Gemara (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:26).**

וצמקה וחזרה – פחות – **It shriveled and then it expanded** – **ותפחה**: If one carried out a dried fig-bulk of seeds for food, and they shriveled and then expanded again, it is uncertain whether or not he is liable. This dilemma was not resolved by the Gemara (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:27).

NOTES

Disqualification – דיחוי: The question of whether or not an object is disqualified is raised in the Talmud with regard to various *halakhot*. The fundamental question is as follows: Does the halakhic designation of an object, e.g., prohibition, consecration, blessing, require that the object always have been fit for that designation? Or, can designation take effect even if there were temporary interruptions in the fitness of the object for that designation?

One threw an olive-bulk of *teruma* into an impure house – **זרק כזית תרומה לבית טמא**: If one threw an olive-bulk of food into an impure house, and this olive-bulk brought the measure of the food inside of the house to an egg-bulk, it is uncertain whether or not he is liable for carrying. Although the olive-bulk is considered to have joined together with the food in the house in terms of impurity, its status vis-à-vis carrying was not resolved in the Gemara. The Ramban and the Rashba hold that the dilemma was raised with regard to an olive-bulk of *teruma*, whose impurity prohibits it in that measure. However, one is certainly exempt for throwing an olive-bulk of non-sacred food (*Maggid Mishne*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:27).

NOTES

From the fact that the olive-bulk joins together with the food in the house with regard to ritual impurity, etc. – **מדמציטרף לענין טומאה וכו'**: The fundamental question here is: Are the halakhic measures that determine liability for carrying out different items on Shabbat tied to the essence of those items, and consequently all food items have a fixed measure that applies at all times? Or, are the measures listed with regard to Shabbat, measures of halakhic significance, and therefore liability for carrying out would apply to other measures of general halakhic significance, e.g., an olive-bulk, with regard to joining together with other food to comprise the measure for ritual impurity? Therefore, Rava's dilemma is clear. The olive-bulk of food that was thrown is insignificant in and of itself in terms of the *halakhot* of ritual impurity, until it combines with other food to comprise an egg-bulk of food. However, even much smaller measures that are halakhically significant, e.g., minute fragments of sacred objects, are universally deemed significant in terms of establishing liability for carrying out on Shabbat.

בעא מיניה רבא מרב נחמן: זרק כזית תרומה לבית טמא מהו? למאי? אי לענין שבת – בגרוגרת בעינן, אי לענין טומאה – כביצה אכלין בעינן! לעולם לענין שבת, וכגון דאיכא פחות מביצה אכלין, והאי משלימו לביצה. מאי מדמציטרף לענין טומאה – מיתייב נמי לענין שבת, או דילמא: כל לענין שבת – בגרוגרת בעינן? אמר ליה: תגיתיה, אבא שאול אומר: שתי הלחם ולחם הפנים שיעורן בגרוגרת. ואמאי? לימא: מדלענין

Rava raised a dilemma before Rav Nahman: If one threw an olive-bulk of *teruma* into an impure house,¹ what is the *halakha*? The Gemara attempts to clarify the question. With regard to what matter was this dilemma raised? If it was raised with regard to Shabbat, the measure that we require to determine liability for carrying out is a dried fig-bulk, and an olive-bulk is smaller than that. And if it was raised with regard to ritual impurity, the measure that we require to determine impurity for food is at least an egg-bulk, and an olive-bulk is smaller than that as well. The Gemara answers: **Actually**, this dilemma was raised with regard to Shabbat. And it is referring to a case where there is less than an egg-bulk of food in the house, and this olive-bulk that was thrown into the house completes the measure of the food in the house to an egg-bulk. The dilemma is: What is the *halakha* in that case? Is it from the fact that the olive-bulk joins together with the food in the house with regard to ritual impurity^N that he is also liable with regard to Shabbat? Or perhaps, all matters concerning carrying out on Shabbat require a dried fig-bulk in order to be liable. Rav Nahman said to him: We already learned the resolution to that dilemma in a *baraita*: Abba Shaul says: The measure that determines liability for carrying out the wave-offering of the two loaves of bread and the showbread that were in the Temple is a dried fig-bulk. The Gemara asks: And why is that their measure? Let us say: From the fact that with regard to the matter of

Perek X

Daf 91 Amud b

יוצא בכזית, לענין שבת נמי בכזית. הכי השתא! הָתָם – מדאפקיה חוץ לחומת העזרה איפסיל ליה ביוצא, אשבת לא מיתייב עד דמפיק ליה לרשות הרבים. הכא – שבת וטומאה בהדי הדדי קאתיין.

disqualification of consecrated items due to leaving the Temple courtyard,^N the significant measure is an olive-bulk, as one who eats that measure of disqualified consecrated items is liable; with regard to Shabbat, its measure for liability should also be an olive-bulk. The Gemara rejects this: **How can you make that comparison?** There, in the case of the consecrated items, from the moment that he took it beyond the courtyard wall it was disqualified due to the prohibition of leaving. However, with regard to Shabbat, he is only liable when he takes it into the public domain, which is far beyond the courtyard walls. Here, in the case where one threw *teruma* into the house on Shabbat, the prohibition of Shabbat and the impurity of the *teruma* come simultaneously. Since the olive-bulk is significant in terms of impurity, it is similarly significant with regard to Shabbat.

"חזר והכניסו אינו חייב אלא בשיעורו". פשיטא! אמר אביי: הכא במאי עסקינן – בגזן שזרקו לאוצר ומקומו מוכר. מהו דתימא: כיון דמקומו ניכר – במילתיה קפייטא קאי, קא משמע לן: מדזרקה לאוצר – בטולי בטליה.

We learned in the mishna: If one stored the seed, carried it out, and then brought it back in, he is only liable if he brought in its measure for liability. The Gemara asks: This is obvious. By bringing it back into the house he indicates that he no longer considers it significant, and the object then assumes the legal status of an object belonging to anyone else. Abaye said: **With what are we dealing here?** We are dealing with a case where he threw it into the storehouse and its place is clearly discernible to the one who threw it, in that he knows where it landed. Lest you say that because its location is discernible it maintains its original status, the mishna teaches us that from the fact that he threw it into the storehouse, he indicated that he nullified the object's previous significance.

NOTES

Leaving the Temple courtyard – **יוצא**: Sacrificial offerings and other sacred gifts must remain within certain designated boundaries. Some items must remain within the walls of Jerusalem, others must remain on the Temple

Mount, and yet others must remain within the Temple courtyard. Any consecrated item that is taken beyond its permitted boundary is immediately disqualified and requires burning.

וְנָתַן עַל – And placed it on the threshold – **הַאֲסֻקָּפָה**: One who transfers an object from a private domain to a public domain, or vice versa, and places the object in a *karmelit* that separates the two domains is exempt (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 14:14).

קופה שהיא מליאה – A basket that is full – One who carries a basket full of objects, even if they are small, like mustard seeds, is only liable if he carries the entire basket out of the domain. This is because fusion of several objects within a single vessel is considered fusion. The *halakha* is in accordance with the opinion of Rabbi Yohanan. This is also Rava's opinion, and in disputes with Abaye the *halakha* is in accordance with the opinion of Rava (*Maggid Mishne; Rambam Sefer Zemanim, Hilkhhot Shabbat* 12:11).

מתני' המוציא אוכלין ונתנן על האסקופה, בין שחזר והוציאן, בין שהוציאן אחר – פטור, מפני שלא עשה מלאכתו בבת אחת. קופה שהיא מליאה פירות ונתנה על אסקופה החיצונה, אף על פי שרוב פירות מבחוץ – פטור, עד שיוציא את כל הקופה.

גמ' האי אסקופה מאי? אילימא אסקופה לרשות הרבים, פטור! הא קא מפיק מרשות היחיד לרשות הרבים! אלא: אסקופה רשות היחיד, "בין שחזר והוציאן בין שהוציאן אחר פטור"? הא קא מפיק מרשות היחיד לרשות הרבים!

אלא: אסקופה כרמלית. והא קא משמע לן: טעמא – דנח בכרמלית, הא לא נח בכרמלית – מיתניב. מתניתין דלא קבן עזאי, דתניא: המוציא מחנות לפלטיא דרך סטיו – חייב, ובן עזאי פוטר.

"קופה שהיא מליאה כו". אמר חזקיה: לא שנו אלא בקופה מליאה קישואין ודלועין, אבל מליאה חרדל – חייב. אלמא קסבר: אגד כלי לא שמיא אגד. ורבי יוחנן אמר: אפילו מליאה חרדל פטור. אלמא קסבר: אגד כלי שמיא אגד.

אמר רבי זירא: מתניתין דלא בחזקיה דיקא, ודלא ברבי יוחנן דיקא. בחזקיה לא דיקא – דקתני: "עד שיוציא את כל הקופה" טעמא – דכל הקופה, הא כל הפירות – פטור, אלמא קסבר: אגד כלי שמיא אגד. ברבי יוחנן לא דיקא, דקתני: אף על פי שרוב פירות בחוץ, טעמא – דרוב פירות, הא כל פירות אף על גב דאגידא קופה מגואי – חייב, אלמא קסבר: אגד כלי לא שמיא אגד.

MISHNA One who carries out food from his house on Shabbat and placed it on the threshold¹⁴ of the door, whether he then carried it out from the threshold into the public domain or another person carried it out, he is exempt because he did not perform his prohibited labor of carrying from domain to domain all at once. Similarly, if one placed a basket that is full¹⁵ of fruit on the outer threshold, which is in the public domain, and part of the basket remained inside, even though most of the fruit is outside in the public domain, he is exempt until he carries out the entire basket.

GEMARA The Gemara begins by asking: What is the nature of this threshold in terms of Shabbat? If you say that it is a threshold that has the legal status of the public domain, in that it does not extend above nine handbreadths, and its area is four by four handbreadths, and it is suitable for use by the multitudes, why is he exempt? Didn't he carry out food from the private domain to the public domain? Rather, say that it is a threshold that has the legal status of the private domain, in that it extends above ten handbreadths, and its area is four by four handbreadths. In that case, why does the mishna say: Whether he then carried it out from the threshold into the public domain or another person carried it out, he is exempt? Why should he be exempt? Didn't he carry out food from the private domain to the public domain?

Rather, the mishna is referring to a threshold that is a *karmelit*. And it teaches us the following: The reason that he is exempt is due to the fact that the object came to rest in a *karmelit*. However, if the object did not come to rest in a *karmelit*, he is liable even if it passed through a *karmelit*. This comes to teach that the mishna is not in accordance with the opinion of ben Azzai, as it was taught in a *baraita*: One who carries out an object from a store, which is a private domain, to a plaza, which is a public domain, via a colonnade, which is a *karmelit*, is liable because he lifted the object in a private domain and placed it in a public domain. And ben Azzai deems him exempt because, in his opinion, an exempt domain separates between the private and public domains.

We learned in the mishna: If one placed a basket that is full of fruit on the outer threshold, he is only liable if he carries out the entire basket. Hizkiya said: They only taught this *halakha* with regard to a basket full of cucumbers and gourds, both of which are long. Part of each fruit remains inside even when most of the basket is in the public domain. However, if the basket was full of mustard seeds, he is liable for carrying out a measure of individual mustard seeds to the public domain. The Gemara concludes: Apparently, he holds that the fusion of several objects in a single vessel is not considered fusion. Even though several objects are in a single basket, they do not have the legal status of a single unit. And Rabbi Yohanan said: Even if the basket were full of mustard seeds, he is exempt. Apparently, he holds that the fusion of several objects in a single vessel is considered fusion.

Rabbi Zeira said: The language of the mishna does not precisely correspond with the opinion of Hizkiya, and it does not precisely correspond with the opinion of Rabbi Yohanan. The Gemara explains: It does not precisely correspond with the opinion of Hizkiya, as the mishna taught: Until he carries out the entire basket. The Gemara infers: The reason that he is liable is because he carried out the entire basket. However, if part of the basket remained inside, even if he carried out all the fruit, he is exempt. Apparently, the mishna holds that fusion of several objects in a single vessel is considered fusion. Since the vessel fuses the fruit into one entity, when part of the basket remains inside, by extension its fruit is also considered to have remained inside. And it does not precisely correspond with the opinion of Rabbi Yohanan, as the mishna taught: Even though most of the fruit is outside. The Gemara infers: The reason that he is exempt is because only most of the fruit is outside. However, if all the fruit were outside, then even though part of the basket remains bound inside, he is liable. Apparently, the mishna holds that the fusion of several objects in a single vessel is not considered fusion.

Stalks [urnasei] – אֶרְנָסִי: From the Arabic عرناس, 'irnās (Arukh). According to the interpretation of the ge'onim, urnasei are sticks or reeds around which people wrap string and wool.

BACKGROUND

Purse – כֶּסֶף: A money purse can hang from a beam by means of the laces wound around its opening.



Illustration of a money purse from the time of bar Kokheva

HALAKHA

הַגִּזְבֵּן כֶּסֶף בַּשַּׁבָּת – One who steals a purse on Shabbat
One who lifts an object in a private domain with the intention of stealing it and carries it into a public domain on Shabbat is required to repay the owner for the stolen object, even though he is also liable for performing labor on Shabbat. The halakha is ruled in this way because the transgressor was liable for the theft when he lifted the object, but he did not perform the prohibited labor until he carried the object out into the public domain (Rambam Sefer Nezikin, Hilkhos Geneiva 3:2; Shulhan Arukh, Hoshen Mishpat 351).

הָיָה – He was dragging it on the ground and exiting
מִגֵּר וְיוֹצֵא: If the thief did not lift the object that he was stealing in the private domain, but dragged it into the public domain, the prohibition of theft and the prohibited labor were performed simultaneously. In that case, he is exempt from repaying the owner for the stolen object because he is liable to receive a more severe punishment for the prohibited labor. This exemption only applies if the stolen object was lost or destroyed immediately after carrying it into the public domain. Some commentaries deem him exempt even if he lost it at a later point (Rema based on Rashi and the Rambam). However, if the object is in its original form, the thief is obligated to return it to its owner in any case, as per the conclusion of the Gemara in tractate Sanhedrin (Rambam Sefer Nezikin, Hilkhos Geneiva 3:2; Shulhan Arukh, Hoshen Mishpat 351).

וְאֵלָּא קָשְׁיָא! חֻקִּיָּה מִתְרַץ לְטַעְמִיָּה, וְרַבִּי יוֹחָנָן מִתְרַץ לְטַעְמִיָּה. חֻקִּיָּה מִתְרַץ לְטַעְמִיָּה: עַד שְׂוִיצִיא אֶת כָּל הַקּוּפָּה, בְּמֵה דְּבָרִים אֲמוּרִים – בְּקוּפָּה מְלִיאָה קִישׁוּאִין וְדִלְוִעִין, אֲבָל מְלִיאָה חֲדָל – נַעֲשֶׂה כְּמִי שֶׁהוֹצִיא אֶת כָּל הַקּוּפָּה, וְחֵיִב. רַבִּי יוֹחָנָן מִתְרַץ לְטַעְמִיָּה: אֵף עַל פִּי שְׂרֹב פִּי שְׂרֹב פִּירוֹת בְּחוּץ, וְלֹא רֹב פִּירוֹת בְּלִבָּד אֵלָּא אֲפִילוּ כָּל פִּירוֹת – פֶּטוּר, עַד שְׂוִיצִיא אֶת כָּל הַקּוּפָּה.

The Gemara asks: **However**, that is difficult. The inferences of the mishna are contradictory. The Gemara explains: **Hizkiya resolves the contradiction in accordance with his reasoning, and Rabbi Yohanan resolves the contradiction in accordance with his reasoning.** The Gemara elaborates: According to both of the Sages, the mishna is referring to two distinct cases. **Hizkiya resolves the contradiction according to his reasoning.** The phrase: **Until he carries out the entire basket; in what case is this statement said?** It is said in the case of a basket full of cucumbers and gourds. **However**, in the case of a basket full of mustard seeds, **he becomes as one who carried out the entire basket, and he is liable for carrying out the mustard seeds.** And Rabbi Yohanan resolves the contradiction according to his reasoning: When we learned: **Even though most of the fruit is outside, he is exempt; and that ruling is true not only if he carried out most of the fruit, but even if he carried out all the fruit he is also exempt, until he carries out the entire basket.**

מִתִּיבִי: הַמוֹצִיא קוּפָּת הַרוֹכֵלִין וְנִתְּנָה עַל אֲסִקּוּפָּה הַחִיצוֹנָה, אֵף עַל פִּי שְׂרֹב מִיָּנִין בְּחוּץ – פֶּטוּר, עַד שְׂוִיצִיא אֶת כָּל הַקּוּפָּה, קָא סְלָקָא דְּעֵתָךְ בְּצִירֵי קָשְׁיָא לְחֻקִּיָּה! אֲמַר לָךְ חֻקִּיָּה: הֵכָא בְּמֵאֵי עֲסִקִּין – בְּאֶרְנָסִי.

The Gemara raises an objection from that which was taught in a baraita: **One who carries out the merchant's basket on Shabbat that contains different items, primarily spices, and placed it on the outer threshold of the house, even though most of the types of items in the basket are outside, he is exempt until he carries out the entire basket.** It might enter your mind to say that this is referring to a basket full of bundles of different spices. That is difficult according to the opinion of Hizkiya, as even though most of the bundles entered the public domain, he is exempt. The Gemara answers: **Hizkiya could have said to you: With what are we dealing here? With stalks [urnasei].**¹ The spices are in the form of stalks that fill the entire length of the basket. As long as part of the basket remains inside, part of each stalk remains inside as well.

מִתִּב רַב בֵּיבִי בַר אֲבַיִי: הַגִּזְבֵּן כֶּסֶף בַּשַּׁבָּת – חֵיִב, שְׂכָרָה נִתְחַיֵּב בְּגִנְיָבָה קוּדֵם שֶׁיֵּבֵא לִידֵי אִיסוּר שַׁבָּת. הֵיךְ מִגֵּר וְיוֹצֵא – פֶּטוּר, שְׂהִירֵי אִיסוּר גִּנְיָבָה וְאִיסוּר שַׁבָּת בְּאִין כְּאֶחָד. וְאִי סְלָקָא דְּעֵתָךְ אֲגַד כְּלִי שְׂמִיָּה אֲגַד – קִדְּמֵי לִיה אִיסוּר גִּנְיָבָה לְאִיסוּר שַׁבָּת!

And Rav Beivai bar Abaye also raised an objection from that which we learned: **One who steals a purse⁸ on Shabbat⁹ is liable for the theft.** Based on the principle that one who is liable to receive two punishments receives the greater of the two,¹⁰ in this case one should be exempt from payment for the theft, since performing a prohibited labor on Shabbat is punishable by stoning. **However**, this case is different **because he was already liable for theft¹¹** as soon as he lifted the purse. This took place **before he came to violate the prohibition of performing prohibited labor on Shabbat** by carrying it into the public domain. **However**, if he did not lift the purse, but **was dragging it on the ground and exiting¹²** the private domain, **he is exempt from paying for the theft, as in that case, he is only liable for the theft when he drags the purse out of the owner's property into the public domain.** **The prohibition of theft and the prohibition of Shabbat are violated all at once.** For the purposes of this discussion: **And if it enters your mind to say that fusion of several objects within a single vessel is considered fusion, in this case the prohibition of theft precedes the prohibition of Shabbat.** At the moment that the mouth of the purse enters the public domain, he is liable for theft because it is as if the money inside had been carried out. With regard to Shabbat, he would not be liable until the entire purse entered the public domain.

NOTES

One who violates two prohibitions simultaneously with regard to punishment – העובר שתי עבירות כאחת לענן עונש: There is a halakhic principle that one is not punished twice for performing a single act, even if two people were harmed by that transgression. However, if one transgression preceded the other even slightly, he may be punished for both actions. Once the liability for the first transgression is established, it remains intact. Nevertheless, when one is liable to receive both lashes and capital punishment, he is executed and not flogged due to the principle that one receives the greater of the two punishments. However, fundamentally, liability to receive the first punishment

remains. Indeed, in a case where one is liable to be flogged and to pay restitution, he is required to pay the restitution if, for some reason, the lashes cannot be administered.

Because he was already liable for theft – נתחייב בגניבה: For one to be liable for theft, two criteria must be met. First, the thief must intend to take an object that belonged to another for himself. Second, he must transfer the object into his possession by means of a valid transaction. Only by means of acquiring the object does he perform the transgression. This acquisition can be accomplished by means of lifting the object or, alternatively, by taking it out of the owner's property without lifting it.

אי דאפקיה דרך פיו – הכי נמי, הכא
במאי עסקין דאפקיה דרך שוליו.
והאיכא מקום חלמה,

The Gemara explains: If this is referring to a case **where he carried it out by way of its mouth, indeed that is so**, he would be liable for theft. However, **with what are we dealing here?** We are dealing with a case **where he carried it out by the underside** of the purse. Since none of the money is accessible until the entire purse is in the public domain, he violated the prohibitions simultaneously. The Gemara asks: **Isn't there the area of the seam?** He could gain access to the money even if he dragged out the purse by way of its underside,

Perek X
Daf 92 Amud a

HALAKHA

One who carries out...in his hand – ביד – המוציא...ביד: One who carries fruit from one domain to another on Shabbat is liable if he carried it in his hand; however, if he carried it in a vessel he is exempt (*Maggid Mishne*). This is in accordance with the opinion of Rava, as the *halakha* is ruled in accordance with his opinion in disputes with Abaye (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 13:6).

Above three handbreadths – למעלה משלשה – If one carries an object in his hand from one domain to another on Shabbat, the object is considered attached to the ground [*lavud*] and placed on the ground if his hand is within three handbreadths of the ground. In that case, he is liable (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 13:6).

NOTES

Reverse the opinions – איפוך – Some commentaries explain that the opinions of Rava and Abaye are only partially reversed. The conclusion is that Abaye said: Whether one carries out the fruit by hand or in a vessel, he is liable. Rava said: Whether one carries out the fruit by hand or in a vessel, he is exempt. Therefore, the difficulty raised in the Gemara is only with regard to Abaye's opinion (Ramban; Rashba).

דאי בעי מפקע ליה ושקיל! בנסכא.
וכיון דאיכא שניצין, מפיק ליה עד
פומיה, ושרי ושקיל ושניצין אגדי
מגואי! דליכא שניצין. ואיבעית
אימא: דאית ליה, ומכרי עירויה.

for if he wishes, he can tear the seam and take the money. The Gemara answers: Here, it is referring to long metal strips. As long as the entire purse is not in the public domain, he did not acquire any of the long strips, and he is not liable for theft. The Gemara asks: **And since the purse has laces to close its opening, to be liable for theft it is sufficient that he carry it out so that its mouth is in the public domain**, as he can untie the straps and remove the contents of the purse. **And since the laces remain bound inside the private domain**, he is not yet liable for violating the prohibition of Shabbat. The Gemara answers: This is referring to a case where the purse **does not have laces**. **And if you wish, say** instead that it is referring to a case where it has laces, and the laces are wound around the purse.

וכן אמר רבא: לא שנו אלא בקופה
מלאה קישואין ודלועין, אבל מלאה
חרדל – חייב. אלמא קסבר: אגד
כלי לא שמייה אגד. אביי אמר:
אפילו מלאה חרדל – פטור. אלמא
קסבר: אגד כלי שמייה אגד. קם אביי
בשיטתיה דרבא, קם רבא בשיטתיה
דאביי, ורמי דאביי אדאביי ורמי
דרבא אדרבא.

There is a dispute between Abaye and Rava that parallels the dispute between Hizkiya and Rabbi Yohanan. **And, so too, Rava said: They only taught in the mishna that one is exempt with regard to carrying out a basket full of cucumbers and gourds. However, for carrying out a basket full of mustard seeds, he is liable.** Apparently, Rava holds: fusion of several objects in a single vessel is not considered fusion. Abaye said: Even if the basket is full of mustard seeds, he is exempt. Apparently, Abaye holds: Fusion of several objects in a single vessel is considered fusion. The Gemara comments: Abaye later assumed the opinion of Rava, and Rava assumed the opinion of Abaye. And a contradiction is raised between one statement of Abaye and another statement of Abaye; and a contradiction is raised between one statement of Rava and another statement of Rava.

דאיתמר: המוציא פירות לרשות
הרבים, אביי אמר: ביד – חייב,
בכלי – פטור. ורבא אמר: ביד –
פטור, בכלי – חייב!

As it was stated that they disputed the matter of **one who carries out fruit into the public domain**. Abaye said: If he carried them out in his hand,^H he is liable even if the rest of his body remained in the private domain because fusion of several objects in his hand is not considered fusion. However, if he carried them out in a vessel, and part of the vessel remained in the private domain, he is exempt. **And Rava said:** If he carried them out in his hand, he is exempt because the legal status of his hand is determined by the status of the rest of the body. However, if he carried them out in a vessel, he is liable.

איפוך: ביד חייב. והתנן: פשט בעל
הבית את ידו לחוץ, ונטל העני
מתוכה או שנתן לתוכה והכניס –
שניהן פטורין! התם למעלה משלשה,
הכא – למטה משלשה.

These are contrary to their opinions stated above. The Gemara answers: **Reverse the opinions,^N and say that Rava was the one who said:** If he carried it out in his hand, he is liable. The Gemara raises an objection. Didn't we learn in the mishna: In a case where the homeowner extended his hand into the public domain, and either the poor person took an object from the homeowner's hand and placed it in the public domain, or the poor person placed an object into the homeowner's hand and the homeowner carried the object into the private domain, both are exempt. Apparently, one is not liable if he merely moved an object in his hand into the public domain. The Gemara answers: **There**, in the mishna, it is referring to a case where his hand was above three handbreadths^H from the ground. The object in his hand, therefore, does not have the legal status of having been placed on the ground, and he is exempt. **Here**, it is referring to a case where his hand was below three handbreadths off the ground. Anything that is within three handbreadths off the ground has the legal status of having been placed on the ground.

מתני' המוציא בין בימינו בין בשמאלו, בתוך חיקו או על כתיפו – חייב, שכן משא בני קהת. כל אחר ידו, ברגלו, בפיו, ובמפרקו, באזנו, ובשערו, ובפונדתו ופיה למטה, בין פונדתו לחלוקו, ובשפת חלוקו, במנעלו, בסנדלו – פטור, שלא הוציא בדרך המוציאין.

גמ' אמר רבי אלעזר: המוציא משאוי למעלה מעשרה טפחים – חייב, שכן משא בני קהת. ומשא בני קהת מנלן – דכתיב: "על המשכן ועל המזבח סביב", מקיש מזבח למשכן; מה משכן עשר אמות – אף מזבח עשר אמות.

ומשכן גופיה מנלן? דכתיב: "עשר אמות ארך הקרש", וכתיב: "ויפרש את האהל על המשכן". ואמר רב: משה רבינו פָּרַשׁוּ, מכאן אתה למד: גובהן של לוויים עשר אמות. וגמירי, דכל טונא דמידלי במוטות – תילתא מלעיל, ותרי תילתי מלתחת – אישתכח דהוה מידלי טובא.

MISHNA One who carries out an object into the public domain on Shabbat, **whether** he carried it out **in his right hand or in his left hand**, whether he carried it **in his lap or on his shoulders**, he is liable. All of these are typical methods of carrying out an object,^h as this was the method of **carrying** the sacred vessels of the Tabernacle employed **by the sons of Kehat**ⁿ in the desert. All labors prohibited on Shabbat are derived from the Tabernacle, including the prohibited labor of carrying out from domain to domain. But one who carries an object out **in an unusual, backhanded manner, or with his foot, or with his mouth, or with his elbow, with his ear, or with his hair, or with his belt** [*punda*]^l **whose opening faced downward, or between his belt and his cloak, or with the hem of his cloak, or with his shoe, or with his sandal, he is exempt** because he did not carry it out in a manner typical of those who carry.^h

GEMARA Rabbi Elazar said: One who carries out a load from the private domain to the public domain, even if he does so at a height **above ten handbreadths**, which is beyond the parameters of the public domain, **he is liable**, as this was the method of **carrying** utilized **by the sons of Kehat**. The Gemara asks: **And from where do we derive** that the method of **carrying** utilized **by the sons of Kehat** was above ten handbreadths? The Gemara answers: **For it is written** about the Levites' carrying: "And the hangings of the courtyard, and the screen for the courtyard entrance which **surrounds the Tabernacle, and the altar**, and its cords for all of its service" (Numbers 3:26). This verse juxtaposes the altar to the Tabernacle. It is derived that **just as the Tabernacle was ten cubits high, so too, the altar was ten cubits high**. The verse that indicates otherwise: "And you shall make the altar... and its height should be three cubits" (Exodus 27:1), must be understood differently.

The Gemara asks: **And from where do we derive** that the Tabernacle itself was carried above ten handbreadths? The Gemara answers: **As it is written**: "And you shall make the boards for the Tabernacle out of acacia wood standing upright, **the length of a board shall be ten cubits**" (Exodus 26:15–16). **And it is written** with regard to the construction of the Tabernacle: "And he spread the tent over the Tabernacle, and he placed the cover for the tent on top of it as God commanded Moses" (Exodus 40:19). **And Rav said: Moses, our teacher, spread it himself. From here you can derive that the height of the Levites was ten cubits**. If Moses was capable of standing and spreading the cover over the tent by himself, he must have been at least ten cubits tall. Presumably, that was the height of the rest of the Levites as well. **And they learned** through tradition that **every burden that is carried with poles, one-third of the burden is above the porter's height, and two-thirds are below his height**. It is found, then, that the altar was **very high**, as if they carried the altar on poles, the bottom of the altar was at least one-third of ten cubits, twenty handbreadths, off the ground.

NOTES

As this was the method of carrying employed by the sons of Kehat – **שָׁכֵן מִשָּׂא בְּנֵי קֹהַת**: In the Jerusalem Talmud, it is explained that the typical methods of carrying are derived from the actions of the sons of Kehat, especially Elazar, son of Aaron the priest. Elazar carried the oil for light, the incense, the daily meal-offering, and the anointing oil. He carried the oil for light in his right hand, the incense in his left, the meal-offering in his arm, and the anointing oil in his belt (see Rashi).

LANGUAGE

Belt [*punda*] – **פִּינְדָה**: The source of this word, which occasionally appears as *apunda*, is the Latin *funda*, meaning a belt pack or a money belt, or the Greek *φοῦνδα*, *funda*, meaning a belly purse, a pocket, or a money bag on a belt. A *punda* is a hollow belt with a pocket for money. It thereby serves as both a belt and a wallet. Some explain that a *punda* was a very short cloak with pockets (*ge'onim*).

HALAKHA

Carrying out objects in a typical manner – **הוֹצָאָה** **בְּדֶרֶךְ**: One who carries out an object in his hand, or held against his chest, or tied to himself with a rope, or rested on his shoulder is liable for having performed the prohibited labor of carrying out on Shabbat, as those are typical methods of carrying (Rambam *Sefer Zemanim, Hilkhot Shabbat* 12:12).

Carrying out objects in an atypical manner – **הוֹצָאָה שְׁלֵא** **בְּדֶרֶךְ**: One who carries out an object with the back of his hand, or with his foot, or in his mouth, or with his elbow, or in a purse whose opening is facing down is not liable for having performed the prohibited labor of carrying out on Shabbat, as those are atypical methods of carrying (Rambam *Sefer Zemanim, Hilkhot Shabbat* 12:13).

BACKGROUND

הָאָרוֹן וְנוֹשְׂאָיו – The height of an average person's shoulder is around three cubits, or eighteen handbreadths. The Ark and its cover were ten handbreadths high. One-third of the height of the Ark and its cover, three and one-third handbreadths, was carried above the Levites' shoulders, and the remaining six and two-thirds handbreadths of the Ark were carried below the shoulders of the Levites and were above ten handbreadths off the ground.



Holy Ark carried by two Levites

Hotzal – **הוֹצֵל**: Hotzal was a large village in Babylonia with an extremely ancient Jewish settlement. If there was only one village with that name, its inhabitants can be traced back to the tribe of Benjamin, and the town can be considered one of the most ancient sites in Babylonia. Many famous Sages hail from Hotzal, and its inhabitants were known for their unique way of conducting themselves. The Talmud relates that the ancient synagogue in Hotzal was one of the sites from which the Divine Presence never strayed. According to Rav Sherira Gaon, Hotzal was adjacent to Neharde'a.

HALAKHA

הַמוֹצִיא – One who carries out a burden on his head on Shabbat – **מִשְׁאוֹי בְּשִׁבְתָּ עַל רֹאשׁוֹ**: One who carries out a burden on his head is exempt as long as that is not the typical manner of carrying that object (Rambam *Sefer Zemanim, Hilkhot Shabbat* 12:14).

וְאִיבְעִית אִימָא – מֵאָרוֹן. דְּאָמַר מֶר: אָרוֹן תְּשֻׁעָה, וְכַפּוֹרֶת טָפַח – הָרִי כָּאֵן עֲשָׂרָה. וְגַמְיָרִי, דְּכָל טוֹנָא דְּמִיָּדְלִי בְּמוֹטוֹת – תִּילְתָּא מִלְּעִיל וְתָרִי תִילְתִּי מִלְּרַע, אִישְׁתַּבַּח דְּמִלְמַעְלָה מִעֲשָׂרָה הָוָה קָאִי. וְלִיגְמַר מִמּוֹשֶׁה? דִּילְמָא מִשְׁה שְׂאֲנִי, דְּאָמַר מֶר: אִין הִשְׁכִּינָה שׁוּרָה אֶלְא עַל חָכְם גְּבוּר וְעֲשִׂיר וּבִעַל קוּמָה.

אָמַר רַב מִשּׁוּם רַבִּי חֲזִיָּא: הַמוֹצִיא מִשְׁאוֹי בְּשִׁבְתָּ עַל רֹאשׁוֹ – חֲזִיב חֲטָאָת, שְׂכֵן אֲנָשִׁי הוֹצֵל עוֹשִׂין בֵּן. וְאֲנָשִׁי הוֹצֵל רֹבָא דְּעֵלְמָא? אֶלְא, אִי אִיתְמַר הָכִי אִיתְמַר: אָמַר רַב מִשּׁוּם רַבִּי חֲזִיָּא: אֶחָד מִבְּנֵי הוֹצֵל שְׁהוֹצִיא מִשְׁוֹי עַל רֹאשׁוֹ בְּשִׁבְתָּ – חֲזִיב, שְׂכֵן בְּנֵי עִירוֹ עוֹשִׂין בֵּן. וְתִיבְטִיל דְּעֵתוֹ אֶצֶל כָּל אָדָם! אֶלְא, אִי אִיתְמַר הָכִי אִיתְמַר: הַמוֹצִיא מִשְׁוֹי עַל רֹאשׁוֹ – פְּטוּר.

And if you wish, say instead that the Levites were not extraordinarily tall, and this can be derived from the Ark of the Covenant, as the Master said: The Ark itself was nine handbreadths tall as stated in the Torah, and the Ark-cover was one handbreadth, for a total of ten. And they learned through tradition that every burden that is carried with poles, one-third of the burden is above the porter's height and two-thirds are below his height. It is found, then, that the bottom of the Ark stood ten handbreadths above the ground.⁸ The Gemara asks: And let us derive it from Moses, and why was the first proof insufficient? The Gemara answers: Perhaps Moses was different from the other Levites and taller than they were, as the Master said: The Divine Presence only rests upon a person who is wise, mighty, wealthy, and tall.⁹ Since the Divine Presence rested on Moses, he had to be tall.

Rav said in the name of Rabbi Ḥiyya: One who carries out a burden on his head on Shabbat¹⁰ is liable to bring a sin-offering, as the people of Hotzal¹¹ do so. They would typically carry burdens on their heads. The Gemara asks: And do the people of Hotzal constitute the majority of the world?¹² Even if in one place it is a typical method of carrying a burden, it remains an atypical method of carrying in the rest of the world. Rather, if this ruling was stated, it was stated as follows. Rav said in the name of Rabbi Ḥiyya: If a resident of Hotzal carried out a burden on his head on Shabbat he is liable, as the people of his city do so. The Gemara asks again: Even if the inhabitants of his city do this, let his intention be rendered irrelevant by the opinions of all other people. If an individual or small group of people conduct themselves in an atypical manner, their conduct is not rendered typical. Typical conduct is determined by the majority of people. Rather, if this was stated, it was stated as follows. One who carries out a burden on his head is exempt.

NOTES

חָכְם גְּבוּר עֲשִׂיר וּבִעַל – Wise, mighty, wealthy, and tall – **קוּמָה**: All of these attributes enumerated by the prophet are derived from Moses in tractate *Nedarim* (38a), from the verse: "A prophet will the Lord your God raise up unto you, from the midst of you, of your brethren, like me" (Deuteronomy 18:15). Since prophecy is the highest level of perfection, it can only be attained by a person who is complete in spirit and body.

And do the people of Hotzal constitute the majority of the world – **וְאֲנָשִׁי הוֹצֵל רֹבָא דְּעֵלְמָא**: Some commentaries explain that this method of reasoning is only employed when the local custom is problematic in some way, as in a case where it is unreasonable or inherently inferior. However, local customs that do not fall into those categories are binding at least on the residents of that locale (*Me'ir*).

ואם תמצא לומר: אנשי הוצל עושיין
כן – בטלה דעתן אצל כל אדם.

מתני' המתכוין להוציא לפניו,
ובא לו לאחוריו – פטור. לאחוריו
ובא לו לפניו – חייב. באמת אמרו:
האשה החוגרת בסניר, בין מלפניה
ובין מלאחוריה – חייבת, שכן ראוי
להיות חוזה. רבי יהודה אומר: אף
מקבלי פתקין.

גמ' מאי שנא לפניו ובא לו לאחוריו
דפטור – דלא אתעביד מחשבתו,
לאחוריו ובא לו לפניו – נמי, הא
לא אתעביד מחשבתו! אמר רבי
אלעזר: תברא, מי ששנה זו לא שנה
זו. אמר רבא: ומאי קושיא? דילמא:
לפניו ובא לו לאחוריו היינו טעמא
דפטור – דנתכוון לשמירה מעולה
ועלתה בידו שמירה פחותה; לאחוריו
ובא לו לפניו, היינו טעמא דחייב –
דנתכוון לשמירה פחותה ועלתה בידו
שמירה מעולה.

אלא מאי קושיא – דיוקא דמתניתין
קשיא; "המתכוין להוציא לפניו ובא
לו לאחוריו פטור" הא לאחוריו ובא
לו לאחוריו – חייב. אימא סיפא:
לאחוריו ובא לו לפניו – הוא דחייב,
הא לאחוריו ובא לו לאחוריו – פטור.
אמר רבי אלעזר: תברא, מי ששנה
זו לא שנה זו.

And if you say that the people of Hotzal do so and therefore they
should be liable, their intention is rendered irrelevant by the opin-
ions of all other people.

MISHNA One who intends to carry out an object with
the object before him, and as he was walk-
ing the object came to be carried behind him,^h is exempt. How-
ever, if he intended to carry it out behind him and it came to be
carried before him, he is liable. In truth they said: A woman who
girded herself in a pants-like *sinar*^h worn beneath the outer gar-
ments, whether she placed an object before her or behind her, and
it came to be carried on the other side, she is liable, as it is common
for the *sinar* to be reversed. Rabbi Yehuda says: Even those royal
couriers, who receive notes [*pittakin*],^l carry those notes in their
belts, and are not particular where on their belt they carry the notes
(Rav Hai Gaon), are liable for carrying out the notes whether they
carried them before them or behind them.

GEMARA The Gemara asks: What is different about
the case of one who intended to carry an
object before him and it came to be carried behind him that he is
exempt? The reason is that his intention was not realized. Since
he did not perform the act that he intended to perform, he is exempt.
If so, then even in the case of one who intended to carry an object
behind him, and it came to be carried before him, he should also
be exempt because his intention was not realized. Rabbi Elazar
said: This mishna is disjointed,⁸ in the sense that it cites the opin-
ions of two different Sages. He who taught this *halakha* did not
teach that *halakha*. Rava said: And what difficulty is there here?
Perhaps it can be explained as follows. With regard to one who in-
tended to carry an object before him, and it came to be carried
behind him, this is the reason that he is exempt: He intended to
provide the object with outstanding protection, seeing it at all
times, and ultimately he managed to provide the object with re-
duced protection. Since that was not his intention, it is not consid-
ered a prohibited labor and he is exempt. Whereas one who in-
tended to carry an object behind him, and it came to be carried
before him, this is the reason he is liable: He intended to provide
the object with reduced protection, and ultimately he managed to
provide the object with outstanding protection.

Rather, what is the difficulty here? It is the inference inferred from
the mishna that is difficult. One who intends to carry out an ob-
ject before him, and the object came to be carried behind him, is
exempt. By inference: One who intends to carry out an object be-
hind him, and indeed, the object came to be carried behind him,ⁿ
is liable. Say the latter clause of the mishna: One who intends to
carry out an object behind him, and it came to be carried before
him, is the case where he is liable. By inference: One who intends
to carry out an object behind him, and indeed, the object came to
be carried behind him, is exempt. The inference from the first
clause contradicts the inference from the latter clause. Rabbi Elazar
said: This mishna is disjointed. He who taught this *halakha* did
not teach that *halakha*.

HALAKHA

To carry out an object with the object before him, and
the object came to be carried behind him – להוציא לפניו, –
ובא לו לאחוריו: One who intends to carry out an object with
outstanding protection by carrying it before him, but he
ended up carrying it behind him, is exempt. On the other
hand, if one ended up providing the object with even more
security, he is liable, in accordance with the unattributed
mishna (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 1:12).

A woman who girded herself in a pants-like *sinar* – האשה
החוגרת בסניר: One who places an item in a *sinar* or in a belt
that typically moves from side to side is liable for carrying
out the object, even if he came to carry it behind him, as
he had that eventuality in mind when he placed it there
(Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 1:13).

LANGUAGE

Notes [*pittakin*] – פתקין: From the Greek *πιττάκιον*, *pit-
takion*, meaning a small tablet, or a piece of paper, or animal
hide upon which one writes.

BACKGROUND

This mishna is disjointed – תבירא: This expression means
that it is impossible to explain the mishna in accordance
with the opinion of a single Sage. Therefore, it is necessary
to divide or break the mishna into two parts. This is only
done as a last resort, and virtually any other way to interpret
the mishna is preferable. According to Rabbeinu Hananel,
this expression is an oath, and it is as if one were saying: I am
so certain that I swear that the one who taught this part of
the mishna did not teach that part of the mishna.

NOTES

Behind him, and indeed, the object came to be carried
behind him – לאחוריו ובא לו לאחוריו: In a case where one
intended to carry an object behind him and he indeed did
so, there is an opinion that he is exempt because carrying
an object in an unprotected manner is considered a back-
handed manner of carrying. The rationale for exempting one

who placed the object behind him and it came to be car-
ried before him is that liability on Shabbat is dependent
on realization of one's intent. Since his action did not cor-
respond precisely to his intent, it is not a full-fledged
planned, thoughtful, creative labor, and he is exempt
(*Penei Yehoshua*).

Can it not be inferred that the Sages deem one exempt in that case – לאו מכלל דפטרי רבנן? Some commentaries teach that the Gemara does not reach this conclusion based on the fact that it is prefaced by the question: Do you not agree? On the contrary, that question indicates that the Rabbis deem one liable in that case. Rather, the Gemara rules in accordance with the opinion of Rabbi Yehuda, based on the continuation of his statement: The Rabbis did not find a response to my statement. Apparently, they adopted his approach (Ramban).

In every instance that the mishna employs the phrase: In truth, that is the undisputed *halakha* – כל באמת הלכה היא: The version in the Jerusalem Talmud reads: In every instance that the mishna employs the phrase: In truth, it is a *halakha* transmitted to Moses from Sinai. Several commentaries explain that the mishna would not have elaborated upon and praised certain statements unless they reflected the clear halakhic ruling (Rashi, Ritva). Others interpret the term: In truth, as an oath, indicating that this is the *halakha* (*Shita Mekubbetzet*).

אמר רב אשי: מאי קושיא? דילמא לא מיבעיא קאמר: לא מיבעיא לאחרי ובא לו לאחרי – דחייב דאיתעבידא מחשבתו. אלא אפילו לאחרי ובא לו לפניו איצטריכא ליה, סלקא דעתך אמינא: הואיל ולא איתעביד מחשבתו – לא ליחייב, קא משמע לן: דנתפון לשמירה פחותה ועלתה בידו שמירה מעולה – דחייב.

ולאחרי ובא לו לאחרי – תנאי היא. דתנאי: המוציא מעות בפונדתו ופיה למעלה – חייב, פיה למטה, רבי יהודה מחייב, וחכמים פטרי. אמר להן רבי יהודה: אי אתם מודים בלאחרי ובא לו לאחרי שהוא חייב? ואמרו לו: ואי אתה מודה בלאחר ידו ורגלו שהוא פטור?

אמר רבי יהודה: אני אמרתי דבר אחד, והן אמרו דבר אחד. אני לא מצאתי תשובה לדבריהם, והן לא מצאו תשובה לדברי. מדקאמר להו אי אתם מודין – לאו מכלל דפטרי רבנן? וליטעמיה, דקאמרי ליה "אי אתה מודה" מכלל דמחייב רבי יהודה? והתנאי: לאחר ידו ורגלו – דברי הכל פטור!

אלא: לאחרי ובא לו לאחרי – דברי הכל חייב. לאחר ידו ורגלו – דברי הכל פטור, כי פליגי – בפונדתו ופיה למטה. מר מדמי ליה לאחרי ובא לו לאחרי, ומר מדמי ליה לאחר ידו ורגלו.

"באמת אמרו האשה כו." [תנא: כל "באמת" – הלכה היא. רבי יהודה אומר אף מקבלי פתקין]. תנא: שכן לבלרי מלכות עושין כן.

Rav Ashi said: What difficulty is there here? Perhaps the mishna is stating the *halakha* utilizing the following didactic style: It was **not necessary**, and it should be understood as follows. **It was not necessary** to teach that a person who intended to carry the object **behind him**, and it came to be carried **behind him**, is liable. That is obvious because **his intention was realized**. However, it was necessary for the mishna to teach that **even in a case where he intended to carry the object behind him, and it came to be carried before him**, he is liable. **It would have entered your mind to say: Since his intention was not realized, he should not be liable**. Therefore, the mishna teaches us: Since he intended to provide the object with **reduced protection**, and ultimately he managed to provide the object with **outstanding protection**, he is liable.

And the case where one intended to carry out the object **behind him**, and it came to be carried **behind him**, is the subject of a dispute between the *tanna'im*, as it was taught in a *baraita*: **One who carried out coins in his money belt, and its opening was facing up, is liable** because this is the typical method of carrying coins. However, if one carried it out with its opening facing down, Rabbi Yehuda deems him liable, and the Rabbis deem him exempt. Rabbi Yehuda said to the Rabbis: **Do you not agree** that in a case where one intends to carry the object **behind him**, and it came to be carried **behind him**, that he is liable? Apparently, one who intended to provide his object with reduced protection and realized that intention is liable. **And they said to him: And do you not agree** that one who carries out an object in a **backhanded manner** or with his foot is exempt? Apparently, carrying out an object in an atypical manner is not considered carrying.

Rabbi Yehuda said: I said one thing to the Rabbis in support of my opinion, and they said one thing to me. I did not find a response to their statement, and they did not find a response to my statement. From the fact that he said to them: **Do you not agree** that in a case where one intends to carry the object **behind him**, and it came to be carried **behind him**, he is liable? Can it not be inferred that the Sages deem one exempt in that case?^N Apparently, Rabbi Yehuda and the Rabbis dispute this matter. The Gemara asks: **And according to your reasoning**, from the fact that the Rabbis said to Rabbi Yehuda: **Do you not agree** that one who carries out an object in a backhanded manner is exempt, can it not be inferred that Rabbi Yehuda deems one liable, even for carrying out in a backhanded manner? Wasn't it taught explicitly in a *baraita*: With regard to one who carries an object out in a backhanded manner or with his foot, everyone agrees that he is exempt?

Rather, the *baraita* should be understood as follows. With regard to one who intended to carry an object **behind him**, and the object came to be carried out **behind him**, everyone agrees that he is liable. With regard to one who carried out an object in a backhanded manner or with his foot, everyone agrees that he is exempt. Where they disagree is in a case where one carried coins in his money belt with its opening facing down. This Master, Rabbi Yehuda, likens it to the case of one who intended to carry an object **behind him** and the object came to be carried out **behind him**, and deems him liable; and this Master, the Rabbis, liken it to the case of one who carried out an object in a backhanded manner or with his foot, and deems him exempt.

We learned in the mishna: **In truth they said: A woman who girded herself in a pants-like *sinar*, whether she placed an object before her or behind her, and it came to be carried on the other side, she is liable**. It was taught in the *Tosefta*: In every instance that the mishna employs the phrase: **In truth, that is the undisputed *halakha***.^N And we learned in the mishna: **Rabbi Yehuda says that even those who receive notes**, i.e., royal couriers who transmit messages, place notes in their belts, and are not particular about which side the note is on (Rav Hai Gaon), are liable for carrying out notes, whether they carry the notes out in front of them or behind them. We learned a different explanation: **Because the royal scribes do this**, they place their notes on all sides of their belts.

הוציאוהו שנים – If two people who performed a prohibited labor that can be performed by a single person are exempt, as stated in the mishna. If they performed a prohibited labor that one person is incapable of performing, they are liable, as per the unattributed mishna (Rambam *Sefer Zemanim, Hilkhos Shabbat* 1:15–16).

NOTES

If this person is capable, and that person is incapable – **זה יכול וזה אינו יכול**: The word incapable in this context does not imply that one totally lacks the potential to perform the action. Rather, it means that under the existing circumstances, e.g., the manner in which he is holding the object or performing his share of the prohibited labor, the labor could not be performed (Rashba).

מתני' המוציא כפר לרשות הרבים – חייב. הוציאוהו שנים – פטורין. לא יכול אחד להוציאו והוציאוהו שנים – חייבין, ורבי שמעון פוטר.

גמ' אמר רב יהודה אמר רב, ואמרי לה אמר אביי, ואמרי לה במתניתא תנא: זה יכול וזה יכול – רבי מאיר מחייב, ורבי יהודה ורבי שמעון פוטרם. זה אינו יכול וזה יכול – רבי יהודה ורבי מאיר מחייבים, ורבי שמעון פוטר. זה יכול וזה אינו יכול – דברי הכל חייב.

תנא נמי הכי: המוציא כפר לרשות הרבים – חייב, הוציאו שנים – רבי מאיר מחייב ורבי יהודה אומר: אם לא יכול אחד להוציאו והוציאו שנים – חייבין, ואם לאו – פטורין, ורבי שמעון פוטר. מנא הני מילי – דתנו רבנן: "בעשתה" – העושה את כולה, ולא העושה את מקצתה. כיצד: שנים שהיו אחזין במלגו ולגזין, בכרפר ושובטין, בקולמוס וכותבין, בקנה והוציאו לרשות הרבים, יכול יהו חייבין – תלמוד לומר: "בעשתה" – העושה את כולה ולא העושה מקצתה.

MISHNA One who carries a large mass out to the public domain on Shabbat is liable. If two carried it out together,^h they are exempt because neither performed a complete prohibited labor. However, if one person is unable to carry it out alone, and therefore two people carried it out, they are liable. And Rabbi Shimon deems them exempt even in that case.

GEMARA Rav Yehuda said that Rav said, and some say that Abaye said this, and some say that it was taught in a *baraita*: With regard to an action performed by two people, when this person is capable of performing it alone, and that person is capable of performing it alone, Rabbi Meir deems them liable, and Rabbi Yehuda and Rabbi Shimon deem them exempt. If both this person is incapable and that person is incapable of performing the action alone, and therefore they performed it together, Rabbi Yehuda and Rabbi Meir deem them liable, and Rabbi Shimon deems them exempt. If this person is capable, and that person is incapable,ⁿ and they performed it together, everyone agrees that he is liable.

That was also taught in a *baraita*: One who carries a large mass out to the public domain on Shabbat is liable. If two carried it out together, Rabbi Meir deems them liable, and Rabbi Yehuda says: If one is incapable of carrying it out, and two carried it out, they are liable. And if not, if each person is capable of carrying it out himself, and nevertheless they carried it out together, they are exempt. And Rabbi Shimon deems them exempt even if neither was capable of performing the action alone. The Gemara asks: From where are these matters derived? What is the biblical source of these *halakhot*? The Gemara answers that the source is as our Sages taught in *Torat Kohanim*, the halakhic midrash on Leviticus. It is written: "And if one person among the common people sins unwittingly by performing it, any one of God's commandments not to be done, and be guilty" (Leviticus 4:27). The Gemara interpreted: "By performing it," means that one who performs a transgression in its entirety is liable, and not one who performs part of it. How so? If two people were holding a pitchfork and gathering the stalks, or holding a shuttle and weaving the threads of the warp, or holding a quill and writing, or holding a reed and carrying it out to the public domain, I might have thought they are liable, therefore the verse states: "By performing it." One who performs a transgression in its entirety is liable, and not one who performs only part of it.

Perek X

Daf 93 Amud a

בעיגול של דבילה והוציאו לרשות הרבים, בקורה והוציאו לרשות הרבים, רבי יהודה אומר: אם לא יכול אחד להוציאו והוציאוהו שנים – חייבין, ואם לאו – פטורין. רבי שמעון אומר: אף על פי שלא יכול אחד להוציאו והוציאוהו שנים – פטורין, לכך נאמר "בעשתה" – יחיד שעשאה חייב, שנים שעשאוה פטורין.

In contrast, if two people held a round cake of figs,^b which is too heavy for one person to carry, and they carried it out to the public domain, or if they held a beam and carried it out to the public domain, Rabbi Yehuda says: If one person is incapable of carrying it out alone, and two people carried it out, they are liable. And if not, if one person is capable of carrying it out alone, they are exempt. Rabbi Shimon says: Even if one person is incapable of carrying it out alone, and two people carried it out, they are exempt. It is with regard to that case that it is stated: "By performing it" (Leviticus 4:27), to establish a principle: An individual who performs a transgression is liable, two people who perform a transgression are exempt.

BACKGROUND

עיגול של דבילה – A round cake of figs: In talmudic times, figs were preserved by drying them and pressing them into barrels or other round receptacles. These round cakes of pressed dried figs were extremely heavy. It was difficult for a single person to lift them.

This person is capable, and this person is incapable – זה יכול וזה אינו יכול – If two people, one who was capable of performing the labor alone and one who was incapable of doing so, performed a prohibited labor on Shabbat, the one who is capable is liable, while the other who merely assisted is exempt, in accordance with the opinion of Rav H̥isda (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 1:16).

Assisting – מְסַיֵע: One who assists in the performance of a prohibited labor on Shabbat is exempt. Since he is incapable of performing the action alone, his assistance is insignificant (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 1:16).

במאי קמפלג – בהאי קרא: 'ואם נפש אחת תחטא בשגגה מעם הארץ בעשתה', רבי שמעון סבר: תלתא מיעוטי בתיבי "נפש תחטא" "אחת תחטא" "בעשתה תחטא". חד – למעוטי זה עוקר וזה מניח, וחד – למעוטי זה יכול וזה יכול, וחד – למעוטי זה אינו יכול וזה אינו יכול.

ורבי יהודה: חד – למעוטי זה עוקר וזה מניח, וחד – למעוטי זה יכול וזה יכול, וחד – למעוטי יחיד שעשאה בהוראת בית דין. ורבי שמעון – יחיד שעשאה בהוראת בית דין חייב.

ורבי מאיר – מי בתיב "נפש תחטא" "אחת תחטא" "בעשתה תחטא"? תרי מעוטי בתיבי: חד – למעוטי זה עוקר וזה מניח, וחד – למעוטי יחיד שעשאה בהוראת בית דין.

אמר מר: זה יכול וזה אינו יכול – דברי הכל חייב. הי מנייהו מתיב? אמר רב חסדא: זה שכול. דאי זה, שאינו יכול – מאי קא עביד? אמר ליה רב הונא: דקא מסייע בהדיה! אמר ליה: מסייע אין בו ממש.

The Gemara asks: With regard to what do they disagree? The Gemara answers: They disagree over the interpretation of this verse: "And if one person among the common people sins unwittingly by performing it, any one of God's commandments not to be done, and be guilty" (Leviticus 4:27). Rabbi Shimon holds: Three exclusionary statements are written in this verse. It is as if it were written: A person who sins, one who sins, and by performing it he sins. The Torah could have conveyed the same meaning by saying simply: And if one of the common people. Apparently, the superfluous words in the verse are exclusionary and the verse should be understood as follows: A person, and not many people; one, and not two; by performing it, and not by two performing it. One of the terms comes to exclude from liability a case where each of the two people performs a part of the transgression, i.e., this person lifts an object from one domain, and that person places it in another domain. And one of the terms comes to exclude a case where this person is capable of performing the action alone, and that person is also capable, and the two of them perform the action together. And one of the terms comes to exclude even a case where this person is incapable of performing the action alone, and that person is incapable of performing the action alone. Since the two of them violated this prohibition together, they are both exempt.

And Rabbi Yehuda holds: One of the terms comes to exclude a case where this person lifts an object, and that person places it, as he agrees that they are exempt in this case. And one of the terms comes to exclude a case where this person is capable of performing the action alone, and that person is also capable. And one of the terms comes to exclude the case of an individual who performed a transgression in accordance with the ruling of a court.ⁿ If a court issued a mistaken ruling that a prohibited action is permitted, and an individual performed that action based on that ruling, he is exempt from bringing a sin-offering and is considered to have sinned due to circumstances beyond his control. And Rabbi Shimon holds that an individual who performed a transgression in accordance with the ruling of a court is liable to bring a sin-offering for his mistake. His action is not considered intentional, but falls into the category of an unwitting act.

The Gemara asks: And how does Rabbi Meir, who deems them liable in a case where each was capable of performing the act alone, interpret the third exclusionary term? The Gemara answers: Is it written in the verse: A person who sins, one who sins, and by performing it he sins? There are not three exclusionary terms in the verse. Only two exclusionary terms are written, as the words: "One person who sins," constitutes a single phrase. Therefore, one term comes to exclude from liability a case where this person lifts an object, and that one places it; and one term comes to exclude an individual who performed a transgression in accordance with the ruling of a court.

We learned earlier that the Master said: In a case where this person is capable, and this person is incapable,^h and they performed it together, everyone agrees that he is liable. The Gemara seeks to clarify: Which of them is liable?ⁿ Rav H̥isda said: The one who is capable of performing the act alone is liable, as if it was the one who is incapable of performing the act alone that was liable, what is he doing that would render him liable? His efforts are inadequate to perform the task. Rav Hamnuna said to Rav H̥isda: He is doing quite a bit, as he is assisting^h him. He said to him: The assistance provided by one who assists another to perform a task that the other could have performed himself is insubstantial.

NOTES

An individual who performed a transgression in accordance with the ruling of a court – יחיד שעשאה בהוראת בית דין: The entire tractate *Horayot* is devoted to resolving questions that stem from errors made by the court. The Torah states that the court is liable to bring a sacrifice if, due to its error, the nation sinned. However, the liability of individuals who performed transgressions based on the mistaken ruling of the court remains unclear, and it is the subject of a tannaitic dispute. Some ruled that the legal status of the individual is that of an unwitting sinner. Others deemed the individuals exempt only in certain cases. Yet others ruled that his legal status is like one who acted due to circumstances

beyond his control, and he is not liable to bring a sacrifice. According to some variant readings of the Gemara (and in *Tosafot*), there is no need to explicitly derive the legal status of these individuals from the Torah, as clearly their legal status is like that of one who acted due to circumstances beyond his control.

Which of them is liable – הי מנייהו מתיב: This is a difficult question. What reason could there be to deem the one who was incapable liable, and the one who is capable exempt? *Tosafot* restricts the Gemara's question to whether or not the one who was incapable is as liable as one who assisted in the perfor-

mance of the prohibition. Other commentaries explain the Gemara differently. According to Rabbi Yehuda and Rabbi Shimon, in a situation where both are capable of performing the act, both are exempt if they perform it together. The reason that they are exempt is because neither one is expending his full effort in its performance. Consequently, in a situation where one is capable and one is not, the one who is capable does not expend his full effort, and therefore he is exempt. In contrast, the one who is incapable would be liable because he is expending his full effort. From the perspective of the one who is incapable, this is tantamount to a case in which both people are incapable and liable (Rashba).

Diskarta – דִּיסקָרְתָּא: Related to the Middle Persian dast-agird, meaning estate. Diskarta is the name of a place.

אָמַר רַב זְבִיד בְּשֵׁם רַבָּא, אִף אֵין נָמִי תִנְיָנָא: "הִיָּה יוֹשֵׁב עַל גְּבִי הַמִּטָּה, וְאַרְבַּע טָלוּיֹת תַּחַת רַגְלֵי הַמִּטָּה – טְמֵאוֹת, מִפְּנֵי שְׂאִינָה יְכוּלָה לַעֲמוֹד עַל שְׁלֹשׁ, וְרַבִּי שְׁמַעוֹן מְטַהֵר. הִיָּה רוֹכֵב עַל גְּבִי בַּהֲמָה, וְאַרְבַּע טָלוּיֹת תַּחַת רַגְלֵי הַבְּהֵמָה – טְהוֹרוֹת, מִפְּנֵי שְׂיֻכְלָה לַעֲמוֹד עַל שְׁלֹשׁ". וְאַמַּאי? הָא קָמְסִייע בְּהַדִּי הִדְדִּי! לֹא מִשּׁוּם דְּאָמְרִין "מְסִייע אֵין בּוּ מִמֶּשׁ"?

Rav Zevid said in the name of Rava: We, too, also learned that *halakha* in a mishna, with regard to vessels upon which a *zav* lies or rides. By Torah law, any vessel designated for lying and riding, upon which a *zav* lies or rides, becomes impure even if the *zav* did not come into direct contact with it. If a *zav* was sitting on a bed,^h and there were four garments beneath the four legs of the bed, they are all ritually impure. The weight of the *zav* is considered to have rested on each of the garments because the bed is incapable of standing on three legs. And Rabbi Shimon deems the garments ritually pure, since only a portion of his weight rested on each garment. However, if he was riding on an animal,ⁿ and there were four garments beneath the legs of the animal,ⁿ they are all ritually pure because the animal is capable of standing on three legs. And why are the garments ritually pure? Aren't the animal's legs assisting each other in supporting the weight of the *zav*? Is it not because we say: An object that assists is insubstantial?

אָמַר רַב יְהוּדָה מִדִּיסקָרְתָּא: לְעוֹלָם אֵימָא לָךְ "מְסִייע יֵשׁ בּוּ מִמֶּשׁ" – וְשֹׂאנֵי הָכָא דְעֵקְרָה לָהּ לְגַמְרִי. וְכִיּוֹן דְּיוֹמְנִין עֵקְרָה הָא, וְיוֹמְנִין עֵקְרָה הָא – לִיהוֹי כְּזָב הַמִּתְהַפֵּךְ! מִי לֹא תֵּנּוּ: זָב שְׂהִיָּה מוּטָל עַל חֲמִשָּׁה סְפָסְלִין, אִו עַל חֲמֵשׁ פּוֹנְדָאוֹת, לְאוֹרְכָן – טְמֵאִים, לְרַחְבָּן – טְהוֹרִין. יֵשׁוּ, סְפָק מִתְהַפֵּךְ עֲלֵיהֶן – טְמֵאִין.

Rav Yehuda of Diskarta^l said: Actually, I will say to you that a person or an object that assists is substantial. However, it is different here, in this case, as the animal lifted its foot completely. The mishna is not discussing the case of an animal that could theoretically stand on three legs, but an actual situation where it completely lifted one of its feet and the fourth foot did not even assist in supporting the animal's weight. The Gemara rejects the suggestion of Rav Yehuda of Diskarta. And since it sometimes lifts this foot and sometimes lifts that foot, it should have the legal status of a *zav* who turns over. Didn't we learn in a mishna: With regard to a *zav* who was lying on five benches^h or on five money belts, if he was lying along their length, they are impure. At different times, his entire body was lying on each of the benches or on each of the money belts. If he was lying across their width, they are ritually pure because at no point was his entire weight supported by one of the benches or the money belts. However, if he slept across their width, there is uncertainty whether or not, while sleeping, he turned over on them. This raises the possibility that, at some point, he lay along their length, and his entire weight was supported by one of the benches. Therefore, all of the benches are impure. A *zav* who moves his weight from one place to another renders all of those places ritually impure. Similarly, the fact that the animal lifts different legs is not sufficient for each to be considered as not assisting to support the weight of the *zav*.

אֵלֹא לֹא: מִשּׁוּם דְּאָמְרִין "מְסִייע אֵין בּוּ מִמֶּשׁ". אָמַר רַב פָּפִי מְשִׁמִּיָּה דְרַבָּא: אִף אֵין נָמִי תִנְיָנָא.

Rather, is it not that the garments beneath the legs of the animal remain ritually pure because we say: An object that assists is insubstantial? Each foot merely assists in supporting the weight of the *zav*. Similarly, Rav Pappi said in the name of Rava: We, too, also learned support for this *halakha*,

HALAKHA

If a *zav* was sitting on a bed – הִיָּה יוֹשֵׁב עַל גְּבִי הַמִּטָּה: If a *zav* sat on a bed, and four garments were beneath the four legs of the bed, all of the garments are impure, as per the unattributed mishna (Rambam *Sefer Tahara*, *Hilkhot Metamei Mishkav UMoshav* 7:5).

If he was riding on an animal – רוֹכֵב עַל גְּבִי בַּהֲמָה: If a *zav* was riding on an animal, and beneath its legs were four objects, even if those objects are subject to impurity imparted by lying, they remain ritually pure. Since the animal is capable of standing on three legs, each leg is considered to be merely assisting the oth-

ers, and assistance is insignificant (Rambam *Sefer Tahara*, *Hilkhot Metamei Mishkav UMoshav* 7:6).

A *zav* who was lying on five benches – זָב שְׂהִיָּה מוּטָל עַל חֲמִשָּׁה סְפָסְלִין: If a *zav* laid lengthwise on five benches or on long strips, they are all impure. If his length was across their width, they remain ritually pure. If he slept there, they are all impure due to the uncertainty that he may have changed position while sleeping and lay along their length (Rambam *Sefer Tahara*, *Hilkhot Metamei Mishkav UMoshav* 7:4).

NOTES

טָלוּיֹת תַּחַת רַגְלֵי – הַבְּהֵמָה: This case requires further explanation, as the following question can be raised: Since three of the animal's legs are capable of supporting the animal, and one leg is considered incapable of doing so, all of the garments should become impure. Everyone agrees that one who is capable is certainly liable. Due to the uncertainty with regard to which leg is the incapable one, which stems from the fact that each could be characterized as one of

the three capable legs, the ruling should be stringent, and all the garments should be impure. Indeed, according to one opinion, the leniency applies only in the public domain, based upon the principle that, in cases of uncertainty with regard to impurity in the public domain, the ruling is lenient (*Me'ir*). The lenient ruling can be explained as follows: Since the weight of the animal is equally distributed between all four legs, characterizing three of the legs as capable is inaccurate (*Tosefot Rid*).

HALAKHA

One of his feet was on a vessel – רגלו אחת על הכלי – If a priest serving in the Temple had one foot on the floor and the other foot atop a vessel or a stone, his service is valid if he was capable of remaining standing on one foot when the vessel or stone was removed. This ruling is in accordance with the statement of Rabbi Eliezer (Rambam *Sefer Avoda, Hilkhot Biat HaMikdash* 5:18).

He received the blood in his right hand, and his left hand assisted his right hand – קיבל בימין ושמאל מסייעתו – If a priest received the blood with his right hand, and his left hand was merely assisting, his service was valid (Rambam *Sefer Avoda, Hilkhot Biat HaMikdash* 5:18).

One measure is sufficient for them all – שיעור אחד לכולן – On Shabbat, if several people incapable of performing a prohibited labor alone performed it together, they are all liable, even if they only performed together a single measure that determines liability for that labor (Rambam *Sefer Zemanim, Hilkhot Shabbat* 1:16).

רבי יוסי אומר: הסוס מטמא על ידיו, החמור על רגליו. שמשענת הסוס על ידיו, וחמור על רגליו. ואמאי? הא קא מסייע בהדי הדדי! לאו משום דאמרין "מסייע אין בו ממש"? אמר רב אשי: אף אן נמי תנינא, רבי אליעזר אומר: רגלו אחת על הכלי ורגלו אחת על הרצפה, רגלו אחת על האבן ורגלו אחת על הרצפה; וואן, כל שאילו ינטל הכלי ותינטל האבן יכול לעמוד על רגלו אחת – עבודתו כשרה, ואם לאו – עבודתו פסולה.

ואמאי? הא קא מסייע בהדי הדדי! לאו משום דאמרין "מסייע אין בו ממש"? אמר רבינא: אף אן נמי תנינא, קיבל בימין ושמאל מסייעתו – עבודתו כשרה. ואמאי? הא קא מסייע בהדי הדדי! לאו משום דאמרין מסייע אין בו ממש? שמע מינה.

אמר מר: זה יכול וזה יכול – רבי מאיר מחייב. איבעיא להו: בעינן שיעור לזה ושיעור לזה, או דילמא: שיעור אחד לכולם? רב חסדא ורב הוננא: חד אמר: שיעור לזה ושיעור לזה, וחד אמר: שיעור אחד לכולן. אמר רב פפא משמיה דרבא: אף אן נמי תנינא, היה יושב על גבי מטה וארבע טליות תחת ארבע רגלי המטה – טמאות, מפני שאין יכולה לעמוד על שלש. ואמאי? ליבעי שיעור זיבה לזה ושיעור זיבה לזה! לאו משום דאמרין "שיעור אחד לכולן"?

as we learned in a mishna, **Rabbi Yosei says:** If a *zav* was riding on an animal, and there was a garment beneath it, if he was riding the horse, he renders the garment impure by means of the horse's front legs. Only then is it impure; if it was beneath the horse's hind legs it is not. And if he was riding the donkey, he renders the garment impure by means of the donkey's hind legs. Only then is it impure; if it was beneath the donkey's front legs it is not. The reason for this distinction is that a horse rests primarily on its front legs, and a donkey rests primarily on its hind legs. But why should a garment beneath the hind legs of a horse or the front legs of a donkey remain ritually pure? Don't the legs assist each other? Is the reason not because we say that one who assists is insubstantial? Rav Ashi said: We, too, also learned support for this *halakha* in a different mishna. Rabbi Eliezer says: With regard to a priest that stood in the Temple, and one of his feet was on a vessel,¹ and one of his feet was on the floor, or one of his feet was on a stone, and one of his feet was on the floor, while performing priestly Temple rites; we see, if the vessel was removed or the stone was removed, whether he would still be capable of standing on one foot on the ground. If so, his service is valid. And if he could not stand on one foot, his service is invalid. Is he considered to be standing on the floor, in which case the service is valid, or is he not considered to be standing on the floor, in which case the service is invalid?

The Gemara asks: And why, if he would still be capable of standing on one foot, should it be valid? Don't his legs assist each other? Isn't the reason because we say: One who assists is insubstantial? Ravina said: We, too, also learned support for this in a different mishna. All service performed in the Temple must be performed with the right hand. If he received the blood in his right hand, and his left hand assisted his right hand,² his service is valid. And why is his service valid? Aren't his hands assisting each other? Isn't the reason because we say: One who assists is insubstantial? The Gemara concludes: Indeed, learn from this that it is so.

The Master said in a *baraita* cited above: With regard to an action performed by two people, when this person is capable of performing it alone and that person is capable³ of performing it alone, Rabbi Meir deems them liable. A dilemma was raised before the students: Do we require a measure that determines liability for this person and a measure that determines liability for that one; or perhaps one measure that determines liability is sufficient for them all?⁴ Rav Hisda and Rav Hamnuna disagreed. One said: There must be a measure that determines liability for this person and a measure that determines liability for that one. And one said: One measure of liability is sufficient for them all. Rav Pappa said in the name of Rava: We, too, also learned a mishna in support of the opinion that one measure is sufficient. It states in the mishna in tractate *Zavim*: If a *zav* was sitting on a bed, and there were four garments beneath the four legs of the bed, they are all ritually impure because the bed is incapable of standing on three legs. And why should they be ritually impure? Let them require a measure of the weight of a *zav* for this garment and a measure of the weight of a *zav* for that garment. All the garments should only become impure if there was one *zav* on the bed for each garment. Is it not because we say that in order to make the garments impure one measure of impurity is sufficient for them all? Therefore, both parties are liable for one measure that determines liability.

NOTES

¹ זה יכול – This person is capable and that person is capable – Rav Hai Gaon vehemently rejected this version of the text, primarily due to the fact that Rabbi Meir's opinion is not the accepted *halakha* here, as it is implausible that numerous

amora'im would explain the matter based on his opinion if it was ultimately rejected (Rashba; see *Tosafot*). Fundamentally, Rav Hai Gaon's objection is not significant, as all the proofs cited by the *amora'im* also apply to Rabbi Yehuda's opinion that if

both were incapable of performing the act alone both are liable, which is the accepted *halakha*. On that basis, the Gemara asks whether two measures that determine liability are necessary or whether one suffices (*Me'iri*).

Partners who stole an animal and slaughtered it – **השותפין שנגבו וטבחו** – If two partners stole an animal together, and one of them slaughtered it on behalf of both of them, they are both liable (Rambam *Sefer Nezikin*, *Hilkhot Geneiva* 2:14).

One who carries out foods less than the measure that determines liability for carrying out food in a vessel – **פחות מכשיעור בכלי**: One who carries out in a vessel less food than the measure that determines liability for carrying out food on Shabbat is exempt for carrying out the food as well as for carrying out the vessel. This is because the vessel is secondary to the food. So too, one who carries out a live person on a bed is exempt, even for carrying out the bed (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:28).

One who carries out an olive-bulk of a corpse – **המוציא כזית מן המת**: One who carries out an olive-bulk of a corpse on Shabbat is liable, as per the unattributed mishna. Some authorities rule according to Rabbi Shimon in this case as well and exempt one who does so because it is a prohibited labor not necessary for its own sake (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:18).

BACKGROUND

Weaver's reed – **קנה של גרדי**: Apparently, this reed is what is referred to as the lower warp beam, which is the reed on which the weaver stretches the strings of the warp. It is generally large, heavy, and difficult for a single person to carry.

NOTES

One who carries out foods less than the measure that determines liability for carrying out food in a vessel – **פחות מכשיעור בכלי**: In the Jerusalem Talmud, it is explained that this ruling applies only in a case where it would be difficult to carry out the food without the vessel. If the food could be easily carried out without the vessel, one would be liable for the vessel as well.

אמר רב נחמן בר יצחק: אף אֶנּוּ נִמְי תַּנְינָא, צְבִי שְׁנָכְנֵם לְבֵית וְנַעַל אֶחָד בְּפָנָיו – חַיִּיב, נִעְלָה שְׁנֵי – פְּטוּרִין. לֹא יָכוֹל אֶחָד לְנַעֵל וְנַעֲלוֹ שְׁנֵי – חַיִּיבִים. וְאִמָּאִי לִיבְעֵי שִׁיעוּר צִידָה לֹהֵה וְשִׁיעוּר צִידָה לֹהֵה! לֹא מִשּׁוּם דְּאִמְרִין "שִׁיעוּר אֶחָד לְכֹלִם"? אָמַר רַבִּינָא: אִף אֶנּוּ נִמְי תַּנְינָא, הַשּׁוֹתֵפִין שְׁנָגְבוּ וְטַבְּחוּ – חַיִּיבִין. וְאִמָּאִי לִיבְעֵי שִׁיעוּר טְבִיחָה לֹהֵה וְשִׁיעוּר טְבִיחָה לֹהֵה! לֹא מִשּׁוּם דְּאִמְרִין "שִׁיעוּר אֶחָד לְכֹלִם"?

ואמר רב אשי: אף אֶנּוּ נִמְי תַּנְינָא, שְׁנֵי שְׁהוּצִיאוּ קֶנֶה שֶׁל גְּרָדִי – חַיִּיבִין. וְאִמָּאִי לִיבְעֵי שִׁיעוּר הוּצָאָה לֹהֵה וְשִׁיעוּר הוּצָאָה לֹהֵה! לֹא מִשּׁוּם דְּאִמְרִין "שִׁיעוּר אֶחָד לְכֹלִם"? אָמַר לִיהוּבָא בְּרִיה דְּרַבָּא לְרַב אָשִׁי: דִּילְמָא דָּאִית בֵּיה כְּדִי לְבָשֵׁל בִּיצָה קְלָה לֹהֵה וּבִיצָה קְלָה לֹהֵה? אִם כֵּן לִישְׁמַעֲיָן קֶנֶה דְּעֻלְמָא, מַאי שְׁנָא דְּגִרְדִּי וְדִילְמָא: דָּאִית בֵּיה כְּדִי לְאָרוּג מִפָּה לֹהֵה, וְכִדִּי לְאָרוּג מִפָּה לֹהֵה! אָלָא: מַהָּא לִיבָא לְמִשְׁמַע מִינָּה.

תני תנא קמיה דרב נחמן: שנים שהוציאו קנה של גרדי – פטורין, ורבי שמעון מחייב. כלפי לייא? אלא אימא: חייבין, ורבי שמעון פוטר.

מתני' המוציא אוכלין פחות מכשיעור בכלי – פטור אף על הכלי, שהכלי טפלה לו. את החי במטה – פטור אף על המטה, שהמטה טפלה לו. את המת במטה – חייב. וכן כזית מן המת, וכזית מן הנבלה, וכעדשה מן השרץ – חייב. ורבי שמעון פוטר.

גמ' תנו רבנן: המוציא אוכלין כשיעור, אם בכלי – חייב על האוכלין ופטור על הכלי, ואם היה כלי צריך לו – חייב אף על הכלי. שמע מינה: אוכל שני זיתי חלב בהעלם אחד – חייב שתים! אמר רב ששת: הכא במאי עסקין – בגון

Rav Nahman bar Yitzhak said: We, too, also learned an additional support from a different source. With regard to a deer that entered the house, and one person locked the door before it on Shabbat and prevented it from exiting, one is liable for performing the prohibited labor of trapping on Shabbat. If two people locked the door, they are exempt. If one is incapable of locking the door alone, and two people locked it, they are liable. And why are they liable? Let them require a measure of trapping for this person and a measure of trapping for that person. Is it not because we say that one measure of trapping is sufficient for them all? Ravina said: We, too, also learned an additional support from a different source. With regard to partners who stole an animal and slaughtered it,^h they are obligated to pay four or five times its value, as stated in the Torah. And why are they liable? Let them require a measure of slaughtering for this one and a measure of slaughtering for that one. Is it not because we say that one measure of slaughtering is sufficient for them all?

And Rav Ashi said: We, too, also learned an additional support from a similar source. Two people who carried out a weaver's reed^g on Shabbat are liable. And why are they liable? Let them require a measure of carrying for this one and a measure of carrying for that one. Is it not because we say that one measure of carrying is sufficient for them all? Rav Aha, son of Rava, said to Rav Ashi: This cannot serve as a proof, for perhaps the rod has a measure equivalent to that which is used to cook an easily-cooked egg for this one and an easily-cooked egg for that one. That is the measure that determines liability for carrying out wood on Shabbat. He answered him: If so, let the *baraita* teach us the *halakha* with regard to an ordinary reed. What is different here that led the *baraita* to teach the *halakha* specifically about a weaver's reed? Rather, the *baraita* is certainly referring to a reed that is a single unit. Again Rav Aha rejects the proof: And perhaps it has a measure equivalent to that which is used to weave a cloth for this one and to weave a cloth for that one. That is the measure that determines liability. Rather, proof cannot be learned from this *baraita*.

The *tanna* who recited *mishnayot* in the study hall taught before Rav Nahman: Two people who carried out a weaver's reed on Shabbat are exempt, and Rabbi Shimon deems them liable. Rav Nahman was surprised at this. He asked: Toward where are you facing? This is the diametric opposite of their opinions. Rather, say an emended *baraita*: They are liable, and Rabbi Shimon deems them exempt.

MISHNA One who carries out foods less than the measure that determines liability for carrying out food in a vessel^h on Shabbat is exempt, even for carrying out the vessel, because the vessel is secondary to the food inside it. Since one is not liable for carrying out the food, he is not liable for carrying out the vessel either. Similarly, one who carries out a living person on a bed is exempt, even for carrying out the bed, because the bed is secondary to the person. One who carries out a corpse on a bed is liable. And similarly, one who carries out an olive-bulk of a corpse,^h or an olive-bulk of an animal carcass, or a lentil-bulk of a creeping animal, which are the minimal measures of these items that transmit ritual impurity, is liable. And Rabbi Shimon deems him exempt. He holds that one is only liable for performing a prohibited labor for its own sake. One who carries out an object in order to bring it to its destination is liable. However, people carry out a corpse or an animal carcass only to be rid of them.

GEMARA The Sages taught in a *baraita*: One who carries out the measure that determines liability for carrying out foods in a vessel on Shabbat is liable for carrying out the food and exempt for carrying out the vessel. And if that vessel was needed by him for another purpose, he is liable even for carrying out the vessel. The Gemara wonders with regard to the second *halakha*: Can we conclude from it that one who eats two olive-bulks of forbidden fat in the course of one lapse of awareness is liable to bring two sin-offerings? In that case, one who carries out a vessel with food inside it has performed two actions that fall under the rubric of one prohibited labor. Why should he be liable to bring two sin-offerings? Rav Sheshet said: With what are we dealing here? We are dealing with a case where

HALAKHA

One who carries out a domesticated animal, an undomesticated animal, and fowl, etc. – המוציא בהמה חיה ועוף וכו' – One who carries out an animal, beast, or fowl on Shabbat is liable even if it is alive. However, a living person, who is neither bound nor ill, is not considered a burden and may be carried, as per the explanation of Rava (Rambam *Sefer Zemanim, Hilkhot Shabbat* 18:16).

Selling a horse – מכירת סוס – Although the Sages prohibited selling work animals to a gentile, they permitted selling them horses to ride (Rambam *Sefer Zemanim, Hilkhot Shabbat* 20:4).

LANGUAGE

A hunter's falcons [*devei vayadan*] – דבי – Apparently, the correct reading is *debazyaran*, a version that appears in some manuscripts and in the *ge'onim*. It is from the Middle Persian *bāzyār*, meaning one who hunts with falcons. The term generally refers to horses that carry the falconers.

ששגג על האוכלין והזיד על הכלי. מתקין לה רב אשי: והא "אף על הכלי" קתני! אלא אמר רב אשי: בגון ששגג בזה וכו', ונדע לו וחזר ונדע לו, ובפלוגמא דרבי יוחנן ורבי שמעון בן לקיש.

"את החי במטה פטור אף על המטה". לימא מתמתין רבי נתן היא ולא רבנן? דתניא: המוציא בהמה חיה ועוף לרשות הרבים, בין חיון ובין שחוטין – חייב. רבי נתן אומר: על שחוטין חייב, ועל חיון פטור, שהחי נושא את עצמו. אמר רבא: אפילו תימא רבנן, עד כאן לא פליגי רבנן עליה דרבי נתן – אלא בבהמה חיה ועוף דמשרבטי נפשיהו, אבל אדם חי דנושא את עצמו – אפילו רבנן מודו.

אמר ליה רב אדא בר אבהו לרבא, והא דתנן: בן בתירא מתיר בסוס, ותניא: בן בתירא מתיר בסוס, מפני שהוא עושה בו מלאכה שאין חייבין עליו חטאת. ואמר רבי יוחנן: בן בתירא ורבי נתן אמרו דבר אחד. ואי אמרת דלא פליגי רבנן עליה דרבי נתן אלא בבהמה חיה ועוף משום דמשרבטי נפשיהו, מאי איריא בן בתירא ורבי נתן? והאמרת אפילו רבנן מודו! כי אמר רבי יוחנן – בסוס המיוחד לעופות. ומי איכא סוס המיוחד לעופות?! אין, איכא דבי וייאדן.

one acted unwittingly with regard to the food and intentionally with regard to the vessel. He is liable to bring a sin-offering for the food and to receive *karet* for the vessel. Rav Ashi strongly objects to this. Didn't the *baraita* teach: He is liable even for the vessel? Apparently, the liability for the food and the liability for the vessel are identical. Rather, Rav Ashi said: This is referring to a case where one acted unwittingly both with regard to this, the food, and with regard to that, the vessel. And he became aware of one transgression, and then he became aware of the other transgression. And the ruling is dependent upon the dispute between Rabbi Yohanan and Rabbi Shimon ben Lakish cited above, with regard to the question whether or not one who unwittingly performed a single transgression twice and became aware of each separately is liable to bring two sin-offerings.

We learned in the mishna: One who carries out a living person on a bed is exempt even for carrying out the bed. The Gemara suggests: Let us say that the mishna is in accordance with the opinion of Rabbi Natan and not in accordance with the opinion of the Rabbis, as it was taught in a *baraita*: One who carries out a domesticated animal, an undomesticated animal, and fowl^h into the public domain on Shabbat is liable whether they are alive or whether they are slaughtered. Rabbi Natan says: For carrying out slaughtered animals, he is liable, and for carrying out live animals, he is exempt, because a living being carries itself.ⁿ A living being attempts to lighten the load of the person carrying it and thereby participates in the act of carrying. Rava said: The mishna can be understood even if you say that it is in accordance with the opinion of the Rabbis. The Rabbis disagree with Rabbi Natan only as far as the case of a domesticated animal, an undomesticated animal, and fowl is concerned because they deaden their weight in an attempt to free themselves from the one carrying them. However, with regard to the fact that a live person carries himself, even the Rabbis agree. Therefore, one who carries a live person out is exempt.

Rav Adda bar Ahava said to Rava: And with regard to that which we learned in a mishna that it is prohibited to sell work animals to gentiles,ⁿ to prevent a situation where animals still belonging to a Jew would be lent to a gentile who would perform labor with them on Shabbat, but ben Beteira permits selling a horse^h to a gentile. And it was taught in a *baraita*: Ben Beteira permits selling a horse for riding because the horse is performing an act for which one is not liable to bring a sin-offering, as riding a horse is not actually a prohibited labor. And Rabbi Yohanan said: Ben Beteira and Rabbi Natan said one, the same, thing. They both hold that an animal with a rider on its back is not considered to be bearing a burden. And if you say that the Rabbis only argue with Rabbi Natan with regard to a domesticated animal, an undomesticated animal, and fowl because they deaden their weight in an attempt to free themselves, why did Rabbi Yohanan say specifically that ben Beteira and Rabbi Natan agree? Didn't you say that in the case of a person riding a horse even the Rabbis agree? The Gemara answers: When Rabbi Yohanan said that ben Beteira and Rabbi Natan said the same thing, he was referring to a horse designated specifically for carrying fowl. The Gemara asks: And is there a horse designated for carrying fowl? The Gemara answers: Yes, there is the horse for carrying a hunter's falcons [*devei vayadan*].^l

NOTES

Because a living being carries itself – ששהי נושא את עצמו: Tosafot found this *halakha* difficult and concluded that one who carries a living being is exempt, not because a living being carries itself while others are carrying it, but because it moves independently and is not typically carried. Since in the construction of the Tabernacle no living beings were carried, the prohibition of carrying out on Shabbat does not apply to living beings. Some commentaries explained that one who carries a living being is exempt because the case falls under the following rubric: This person is capable, and this person is capable. In that case, both are exempt. Even though, practically speaking, the living being that is being carried is not capable of carrying himself in that situation, since he is neither bound nor ill, and he is capable of walking, it is as if both

the living being and his carrier are participating in performance of the action (*Tiferet Yisrael*).

Selling animals to gentiles – מכירת בהמות לגוי: The prohibition against selling different types of animals to gentiles is discussed primarily in tractate *Avoda Zara*. There were sages who adopted a more stringent approach to this prohibition while others were more lenient. Various rationales were suggested for the prohibition. The conclusion is that sale of a work animal to a gentile was prohibited by rabbinic decree due to concern lest the Jew transfer the animal to the gentile through a partial transaction, e.g., a rental or a situation where after the gentile takes possession of the animal one of the parties reneges. That could lead to a Jewish-owned animal being put to work on Shabbat.

Carrying out a person who is bound – הוצאת אדם כפות: The Sages unanimously agreed with Rabbi Yohanan that one who carries out a person who is bound or ill on Shabbat is liable (Rambam *Sefer Zemanim, Hilkhot Shabbat* 18:16).

BACKGROUND

Persian horsemen – פרשים פרסיים: The Persians, especially during the period of the Sassanid Empire, based their military power on their cavalry. The Persian cavalry officers were members of a noble class and preceded the European knights in terms of both their standing and the manner in which they dressed. The Persian officers generally wore heavy armor over their uniforms and also placed armor on their horses. Whether due to the weight of their armor or due to their social standing, it was rare to see a Persian knight on foot, to the point that some of the Sages thought them unable to walk at all due to the weight of their armor.

LANGUAGE

Officer [pardashka] – פירדשקא: An alternate form reflected in some manuscripts is *pardakhsa*. Perhaps from the Middle Persian *parda-kaš*, meaning one who draws the curtain.

HALAKHA

Carrying out a corpse on Shabbat – הוצאת מת בשבת: If a corpse in a house on Shabbat begins to decompose, it is permitted to carry it out to a *karmelit* for the sake of human dignity, in accordance with the statement of Rav Nahman bar Yitzhak. If those inside the house can go elsewhere, it is preferable that they leave and the corpse remains (Rambam). Some authorities say that even when moving the corpse to a *karmelit*, a loaf of bread or an infant should be placed on it (*Tur* based on Rashi). Other authorities permit carrying the corpse even into the public domain along with an infant (based on the Ramban), but not along with a loaf of bread. It is also permitted to enlist the help of gentiles to carry out the body without placing an infant or a loaf of bread on the corpse (Rema; Rambam *Sefer Zemanim, Hilkhot Shabbat* 15:22, 26:23; *Shulhan Arukh, Oraḥ Hayyim* 311:2).

NOTES

A prohibited labor not necessary for its own sake – מלאכה **שאינה צריכה לגופה:** The early commentaries discussed the exact definition of a prohibited labor not necessary for its own sake. The greatest difficulty in finding a prohibited labor actually necessary for its own sake is with regard to carrying out from one domain to another. Ostensibly, one carrying out an object from one place to another does not do so for the sake of carrying per se, as opposed to one who bakes because he needs to bake. One carries to be rid of an object or to use it for some other purpose. Therefore, carrying out necessary for its own sake is defined here as carrying out an object from one domain to another in order to use it.

אמר רבי יוחנן: ומוֹדֶה רַבִּי נָתָן בְּכַפּוֹת. אָמַר לִיה רַב אַדָּא בַר מִתְנָה לְאַבְי: וְהָאֵלֶּיךָ פִּרְסָא דְכִמְאָן דְּכִפְיִי דְמוּ, וְאָמַר רַבִּי יוֹחָנָן: בֶּן בִּתְיָרָא וְרַבִּי נָתָן אָמְרוּ דְּבַר אֶחָד! הֲתָם רְמוּת רֹחָא הוּא דְנָקִיט לָהּ. דִּהְהוּא פִּרְדְּשָׁקָא דִּרְתַּח מִלְכָּא עִילוּיָה וְהֵיט תִּלְתָּא פִּרְסֵי בְּכַרְעִיָּה.

”אֵת הַמֶּת בַּמָּטָה – חַיִּיב, וְכֵן כּוֹתֵץ מִן הַמֶּת וְכוּ.” אָמַר רַבָּה בַּר בַּר חֲנָה אָמַר רַבִּי יוֹחָנָן, וְאָמַר רַב יוֹסֵף אָמַר רַבִּי שְׁמַעוֹן בֶּן לֵקִישׁ: פּוֹטֵר הֵיךְ רַבִּי שְׁמַעוֹן

Rabbi Yohanan said: And Rabbi Natan agrees in the case of a person who is bound^h because he is unable to lighten the load of the person carrying him. Rav Adda bar Mattana said to Abaye: And what of those Persians who are considered as if they were bound^h because they don heavy armor and always ride horses, and nevertheless Rabbi Yohanan said: Ben Beteira and Rabbi Natan said one thing and permitted selling horses even to Persians? The Gemara answers: There, with regard to the Persians, it is not that they are unable to dismount their horses. It is arrogance that keeps them from dismounting their horses. As proof, the Gemara relates: There was that Persian officer [pardashka]^l at whom the king was angry, and he ran three parasangs on foot. Apparently, even Persian horsemen are not considered bound and are capable of walking without their horses.

We learned in the mishna that according to the first tanna: One who carries out a corpse on a bed is liable. And similarly, one who carries out an olive-bulk of a corpse, or an olive-bulk of an animal carcass, or a lentil-bulk of a creeping animal is liable. Rabbi Shimon deems him exempt. Rabba bar bar Hana said that Rabbi Yohanan said, and Rav Yosef said that Rabbi Shimon ben Lakish said: Rabbi Shimon would deem exempt

even one who carries out a corpse to bury it.^h Rava said: And Rabbi Shimon agrees that one who carries out a hoe on Shabbat with which to dig or a Torah scroll from which to read is liable. The Gemara asks: This is obvious, as if those acts of carrying out are also in the category of a prohibited labor not necessary for its own sakeⁿ because the carrier's intention is to dig or to read, if so, according to Rabbi Shimon, how can you find an act of carrying that would be considered a prohibited labor necessary for its own sake? The Gemara answers: Nevertheless, there is a novel element in Rava's statement. Lest you say that Rabbi Shimon deems one liable only in a case where one carries out an object for the sake of the one carrying it, as well as for its own sake, for example, in a case where one carried out a hoe for its own sake, in order to sharpen its blade, and for the sake of the one carrying it, in order to dig with it, or one carried out a Torah scroll for its own sake, in order to emend it, and for the sake of the one carrying it, in order to read from it; therefore, Rava teaches us that Rabbi Shimon deems one liable for carrying out an object even when it is carried only for his own sake and not for the sake of the object.

The Gemara relates: There was a corpse in the city of Derokera and Rav Nahman bar Yitzhak permitted carrying it out into a *karmelit* on Shabbat because, for some reason, it could not remain where it was. Rabbi Yohanan, brother of Mar, son of Rabbana, said to Rav Nahman bar Yitzhak: In accordance with whose opinion did you permit moving the corpse to the *karmelit*? If it was in accordance with the opinion of Rabbi Shimon, say that in that case Rabbi Shimon exempted one from the obligation to bring a sin-offering. However, there remains a rabbinic prohibition. Rav Nahman bar Yitzhak said to him: By God, have you entered into an understanding of the matter? Even according to the opinion of Rabbi Yehuda it is permitted to carry out the corpse, as did I say they may carry it out to the public domain? I said that it may be carried out into a *karmelit*, which is only prohibited by rabbinic law. With regard to prohibitions by rabbinic law, the principle states: Great is human dignity, as it overrides a prohibition in the Torah: “You shall not deviate from that which they tell you to the right or to the left” (Deuteronomy 17:11).

Perek X
Daf 94 Amud b

אֵף בְּמוֹצֵיא אֵת הַמֶּת לְקוֹבְרוֹ. אָמַר רַבָּא: וּמוֹדֶה רַבִּי שְׁמַעוֹן בְּמַר לַחְפּוֹר בּוֹ, וְסִפֵּר תוֹרָה לְקִרְוֹת בּוֹ, דְּחַיִּיב פְּשִׁיטָא! דָּאִי הָא נִמִּי מִלֵּאכָה שְׂאִינָה צְרִיכָה לְגוּפָה הִיא – אֵלָּא מִלֵּאכָה שְׂצָרִיכָה לְגוּפָה, לְרַבִּי שְׁמַעוֹן הֵיכִי מְשַׁבַּחַת לָהּ? מַהוּ דְּתִימָא: עַד דְּאִיכָּא לְגוּפוֹ וּלְגוּפָה, כְּגוֹן מַר לַעֲשׂוֹת לוֹ טַס וּלְחַפּוֹר, סִפֵּר תוֹרָה לְהַגִּיד וּלְקִרְוֹת בּוֹ, קָא מְשַׁמַּע לָן.

הֵהוּא שִׁבְכָא דְהוּהָ בְּדוּרְקָרָא, שָׂרָא רַב נַחֲמָן בַּר יִצְחָק לְאַפּוּקִיָּה לְכַרְמִלִית. אָמַר לִיה רַבִּי יוֹחָנָן אַחֵוּה דְּמַר בְּרִיָּה דְרַבְנָא לְרַב נַחֲמָן בַּר יִצְחָק: כִּמְאָן – בְּרַבִּי שְׁמַעוֹן, אִימַר דְּפִטֵּר רַבִּי שְׁמַעוֹן מִחַיִּיב חֲטָאָת – אִיסוּרָא דְרַבְנָן מִיָּהָא אִיכָּא! אָמַר לִיה: הָאֵלֶּיךָ! דְּעִיִּילַת בֵּיה אַתָּ, וְאַפִּילוּ לְרַבִּי יְהוּדָה (שָׁרִי). דְּמִי קְאָמִינָא לְרִשּׁוֹת הַרְבֵּי? לְכַרְמִלִית קְאָמִינָא! גְּדוֹל כְּבוֹד הַבְּרִיּוֹת שְׂדוּחָה אַתָּ לֹא תַעֲשֶׂה שְׁבַתוֹרָה.

One who plucks signs of impurity, etc. – **הַתּוֹלֵשׁ סִימְנֵי** **טומאה וכו'**: One who removes symptoms of leprosy or alters signs of impurity in any way violates a Torah prohibition. If he succeeds in ridding himself of the symptoms of leprosy, and he begins the purification process, he is flogged with lashes. If he removed only some of the symptoms, and he remained ritually impure, he is not liable to receive lashes, although he is in violation of the prohibition. The ruling in this case is as per the statement of Rav Sheshet, in accordance with whose opinion the *halakha* is ruled in disputes with Rav Nahman with regard to ritual matters (Rambam *Sefer Tahara*, *Hilkhot Tumat Tzara'* at 10:1).

One who removes his fingernails – **הַנוֹטֵל צִפְרָנָיו**: One may neither remove his fingernails on Shabbat with a utensil nor by hand. It is prohibited to remove one's own nails as well the nails of another. Although it is prohibited to remove them by hand, one is not liable for doing so. One is liable only for removing fingernails with a utensil (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 9:8; *Shulhan Arukh*, *Orah Hayyim* 340:1).

NOTES

One who plucks signs of impurity, etc. – **הַתּוֹלֵשׁ סִימְנֵי** **טומאה וכו'**: The *halakhot* of leprosy are discussed in the Torah (Leviticus 13–14). The Sages explain that there is an explicit prohibition: “Take heed in the plague of leprosy” (Deuteronomy 24:8), which prohibits any treatment of the symptoms of impurity that may purify the leper in an illegitimate manner. The growth of at least two white hairs or yellow hairs within the blemished, leprous area of the scalp is a sign of impurity. In the case of burnt skin, with regard to which there is uncertain impurity, unaffected skin in its midst is a sign of impurity. Therefore, one who seeks to purify himself will pluck those hairs or burn the unaffected skin.

To convey the far-reaching nature of his statement – **לְהוֹדִיעַ בָּחוּ**: Since the language of the Sages in the Oral Law is minimalistic, and most of their discussions deal with specific cases rather than overarching principles, there is often room to view a Sage's statements as not representative of his opinion in its entirety. As such, his statement may be formulated in a manner that underscores the extreme nature of his opponent's opinion. Therefore, one must consider the possibility that a mishna may in fact be accurately reflecting only one side of the dispute.

תנן התם: התולש סימני טומאה והכה המכה – עובר בלא תעשה. איתמר, אחת משתים חייב. אחת משלש, רב נחמן אמר: חייב, רב ששת אמר: פטור. רב נחמן אמר: חייב, אהני מעשי, דאי משתקלא חדא אחריתי – אולה לה טומאה. רב ששת אמר: פטור, השתא מיהת הא איתא לטומאה.

אמר רב ששת: מנא אמינא לה – דתנן: “וכן כזית מן המית וכזית מן הנבילה – חייב” הא חצי זית – פטור. והתנא: חצי זית חייב! מאי לאו: הא דתנא חייב – דאפיק חצי זית מבזית, והא דתנן פטור – דאפיק חצי זית מבזית ומחצה. ורב נחמן: אידי ואידי חייב, והא דתנן “פטור” – דאפיק חצי זית ממת גדול.

מתני' הנוטל צפרניו זו בזו, או בשנייה, וכן שערו, וכן שפמו, וכן זקנו, וכן הגודלת, וכן הבוחלת, וכן הפוקסת – רבי אליעזר מחייב, וחכמים אוסרין משום שבות.

גמ' אמר רבי אליעזר: מחלוקת ביד, אבל בכלי חייב. פשיטא, “זו בזו” תנן! מהו דתימא: רבנן בכלי נמי פטרי, והא דקתני “זו בזו” – להודיעך בחו דרבי אליעזר, קא משמע לן.

We learned there in a mishna discussing the *halakhot* of leprosy: One who plucks white hairs that are signs of impurity,^{HN} and similarly one who burned the unaffected skin in the midst of a leprous sore in an attempt to purify himself, violates a prohibition, as it is stated: “Take heed [*hishamer*] in the plague of leprosy” (Deuteronomy 24:8). This ruling is based on the principle that the term *hishamer* indicates a prohibition. On this topic, it was stated: With regard to one who plucks one of two white hairs, everyone agrees that he is liable because a single hair remains, which is less than the measure that determines impurity, i.e., two hairs. It is with regard to one who plucks one of three white hairs that there is a dispute between the *amora'im*. Rav Nahman said: He is liable. Rav Sheshet said: He is exempt. The Gemara elaborates. Rav Nahman said: He is liable because his actions were effective, as if another hair is removed, the impurity would cease. He thereby hastened his purification and is in violation of the prohibition. Rav Sheshet said: He is exempt because his actions were ineffective, as now, in any case, the impurity is intact even after he removed one hair. His act is ineffective, and therefore he does not violate the prohibition.

Rav Sheshet said: From where do I derive and state my opinion? I derive it as we learned in the mishna: And similarly, one who carries out an olive-bulk of a corpse and an olive-bulk of an animal carcass is liable. The Gemara elaborates: By inference, one who carries out half an olive-bulk is exempt. What, is it not taught in a *baraita*: One who carries out half an olive-bulk of a corpse is liable? Is it not that the contradiction is resolved as follows? That which was taught in the *baraita*: He is liable, is referring to a case where one carried out half an olive-bulk from an olive-bulk. Because less than an olive-bulk of the corpse remained, it is no longer a source of ritual impurity. And that which we learned in the mishna: He is exempt, is referring to a case where one carried out half an olive-bulk from an olive-bulk and a half. Since an entire olive-bulk remains, the source of impurity remains intact. And Rav Nahman explains it differently. Both this, the one who carried out half an olive-bulk from an olive-bulk, and that, the one who carried out half an olive-bulk from an olive-bulk and a half, are liable. And that which we learned in the mishna: He is exempt, is referring to a case where one carried out half an olive-bulk from a large corpse. In that case, even Rav Nahman agrees that his action was ineffective. Since he did not carry out a measure that determines liability, he is exempt.

MISHNA With regard to one who removes his fingernails^H with one another on Shabbat without scissors, or with his teeth, and the same is true with regard to one who removes his hair with his hands, and the same is true with regard to his mustache, and the same is true with regard to his beard, and the same is true with regard to a woman who braids her hair, and the same is true with regard to one who applies blue eye shadow, and the same is true with regard to one who applies blush, Rabbi Eliezer deems them all liable, as they each performed a labor prohibited by Torah law. And the Rabbis prohibited performing all of these actions due to rabbinic decree. None of the actions constitute prohibited labors.

GEMARA Rabbi Elazar said: The dispute is specifically with regard to a case where one removes his fingernails by hand; however, everyone agrees that one is liable if he removes them with a utensil. The Gemara asks: This is obvious. We explicitly learned the phrase: With one another, in the mishna. The Gemara answers: Lest you say that the Rabbis also exempt one who removes his fingernail with a utensil, i.e., because one is not interested in the removed nail, he did not perform the prohibited labor of shearing, and that which was taught in the mishna: With one another, is intended to convey the far-reaching nature of Rabbi Eliezer's statement^H that one is liable even in a case where he removed his fingernails with one another; therefore, Rabbi Elazar teaches us that this is not so.

ואמר רבי אלעזר: מחלוקת לעצמו, אבל לחבירו – דברי הכל פטור. פשיטא, “צפרניו” תנו! מהו דתימא: רבי אליעזר לחבירו נמי מחייב, והא דקתני “צפרניו” – להודיעך כחן דרבנן, קא משמע לן.

“וכן שערו כו.” תנא: הנוטל מלא פי הזוג – חייב. וכמה מלא פי הזוג? אמר רב יהודה: שתיים. והתנא: ולקחה שתיים! אימא: וכן לקחה שתיים.

תנא נמי הכי: הנוטל מלא פי הזוג בשבת – חייב, וכמה מלא פי הזוג – שתיים, רבי אליעזר אומר: אחת. ומודים חכמים לרבי אליעזר במלקט לבנות מתוך שחורות, שאפילו אחת חייב. ודבר זה – אף בחול אסור, משום שנאמר: “לא ילבש גבר שמלת אשה”.

תנא, רבי שמעון בן אלעזר אומר: צפורן שפירש רובה, וציצין שפרשו רובן, ביד – מותר, בכלי – חייב חטאת. מי איכא מידי דבכלי חייב חטאת, וביד מותר לבתחלה? הכי קאמר: פירשו רובן, ביד – מותר, בכלי – פטור אבל אסור. לא פירשו רובן, ביד – פטור אבל אסור, בכלי – חייב חטאת. אמר רב יהודה: הלכה כרבי שמעון בן אלעזר. אמר רבה בר בר חנה, אמר רבי יוחנן: והוא שפרשו כלפי מעלה, ומצערות אותו.

And Rabbi Elazar said: The dispute is specifically with regard to one who removes fingernails for himself; however, with regard to one removing fingernails for another, everyone agrees that he is exempt. The Gemara asks: That is obvious. We explicitly learned the phrase: His fingernails, in the mishna. The Gemara answers: Lest you say that Rabbi Eliezer deems one liable for cutting another’s fingernails as well, and that which was taught in the mishna: His fingernails, is intended to convey the far-reaching nature of the statement of the Rabbis that one is exempt even in a case where he removes his own nails, and all the more so in a case where he removes another’s; therefore, Rabbi Elazar teaches us that everyone agrees that he is exempt when removing another’s nails.

We learned in the mishna: And the same is true with regard to one who removes his hair with his hands; Rabbi Eliezer deems him liable and the Rabbis deem him exempt. One of the Sages taught in the *Tosefta*: One who removes enough of his hair to fill the opening of the scissors on Shabbat is liable. And how much is enough to fill the opening of the scissors? Rav Yehuda said: Two hairs.¹⁴ The Gemara asks: But was it not taught later in that *baraita*: And with regard to the Torah prohibition against removing one’s hair and causing baldness as an expression of mourning the dead: “Nor make any baldness between your eyes for the dead” (Deuteronomy 14:1), one who removes two hairs is liable? Apparently, enough to fill the opening of a scissors is a different amount of hairs. The Gemara answers: Say that these are not two different measures. The *baraita* is saying: And the same is true for baldness, two is the measure.

That was also taught in a *baraita*: One who removes enough of his hair to fill the opening of the scissors on Shabbat is liable. And how much is enough to fill the opening of the scissors? It is two hairs. Rabbi Eliezer says: One is liable for removing even one hair. And the Sages agree with Rabbi Eliezer that one who collects and plucks white hairs from among black ones is liable even if he removed a single hair. His actions indicate that one hair is significant for him. And this matter of plucking white hairs is prohibited for men even on weekdays,¹⁵ as it is stated: “A woman shall not don a man’s clothes, and a man shall not wear a woman’s garment” (Deuteronomy 22:5). The Sages derive that any action typically performed by women for beautification is prohibited for men.

It was taught in a *baraita* that Rabbi Shimon ben Elazar says: With regard to a fingernail, the majority of which has been severed, and it is only connected to the finger by a small piece; and with regard to shreds of skin, the majority of which have been severed from the body; by hand, one is permitted to completely remove them on Shabbat. If he removes them with a utensil, he is liable to bring a sin-offering. The Gemara wonders: Is there any matter where one who performs an action with a utensil is liable to bring a sin-offering, and if he performs that action by hand, it is permitted *ab initio*, and it is not even prohibited by rabbinic decree? The Gemara answers: This is what Rabbi Shimon ben Elazar meant to say: If the majority has been severed, removing the rest by hand is permitted. If he removes the rest with a utensil he is exempt, but it is prohibited to do so *ab initio*. And if the majority has not yet been severed, if he removes the rest by hand he is exempt, but it is prohibited to do so *ab initio*. If he did so with a utensil, he is liable to bring a sin-offering. Rav Yehuda said: The *halakha* is in accordance with the opinion of Rabbi Shimon ben Elazar in this matter. Rabba bar bar Hana said that Rabbi Yohanan said: And that is if the partially severed portions of the fingernail were severed facing upward¹⁶ near the nail and cause him pain; in that case one may remove them *ab initio*.

HALAKHA

One who cuts hair גזו שערותיו: It is prohibited to cut even a single hair on Shabbat. One who cut his hair with a utensil is only liable if he cut at least two hairs. However, one who removed white hairs from among black ones is liable for even a single hair (Rambam *Sefer Zemanim, Hilkhot Shabbat* 9:9; *Shulhan Arukh, Orah Hayyim* 340:1).

And this matter of plucking white hairs is prohibited for men even on weekdays יודבר זה אף בחול אסור: It is prohibited for a man to remove white hairs from among black ones due to the prohibition: “And a man shall not wear a woman’s garment” (Deuteronomy 22:5). One who removed a single white hair is liable to receive lashes (Rambam *Sefer HaMadda, Hilkhot Avoda Zara* 12:10; *Shulhan Arukh, Yoreh De’a* 182:6; *Orah Hayyim* 340:1).

And that is if the partially severed portions of the fingernail were severed facing upward ידוא שפרשו כלפי מעלה: Fingernails and thin strips of skin that were displaced and are facing upward may be severed by hand on Shabbat. However, it is prohibited to do so with a utensil, although one who does so with a utensil is not liable for doing so. If the majority of the nail or skin is not displaced, one may not sever it even by hand, although one is not liable for doing so. If one did so with a utensil, he is liable to bring a sin-offering for performing the primary category of the prohibited labor of shearing. Since the commentaries dispute the meaning of facing upward (see Rashi and *Tosafot*), the prohibition to sever the nails and the skin applies regardless of the direction that they are facing (see *Mishna Berura*; Rambam *Sefer Zemanim, Hilkhot Shabbat* 9:9; *Shulhan Arukh, Orah Hayyim* 328:31).

“וכן גודלת כו.” גודלת כוחלת ופוקסת משום מאי מחייבא? אמר רבי אבין אמר רבי יוסי ברבי חנינא: גודלת משום אורגת, כוחלת משום כותבת, פוקסת משום טוה. אמרו רבנן קמיה דרבי אבהו: וכי דרך אריגה בכך, וכי דרך כתיבה בכך, וכי דרך טוה בכך? אלא אמר רבי אבהו: לדידי מפרשא לי מיניה דרבי יוסי ברבי חנינא:

We learned in the mishna: **And the same** is true with regard to a woman who braids her hair, and one who applies blue eye shadow, and one who applies blush; Rabbi Eliezer deems them liable by Torah law. The Gemara asks: For performance of what prohibited labor is a woman who braids her hair, or who applies blue eye shadow, or who applies blush on Shabbat liable? Rabbi Avin said that Rabbi Yosei, son of Rabbi Hanina, said: A woman who braids her hair is liable due to weaving, as braiding and weaving are similar actions. A woman who applies blue eye shadow is liable due to writing. A woman who applies blush is liable due to spinning. Women would make a string from a doughy substance and pass it over their faces to redden their complexion. **The Rabbis said before Rabbi Abbahu: And is that the typical manner of weaving, and is that the typical manner of writing, and is that the typical manner of spinning?** Rabbi Eliezer would certainly agree that one who performs a prohibited labor in an atypical manner is exempt. **Rather, Rabbi Abbahu said:** This matter was explained to me by Rabbi Yosei, son of Rabbi Hanina, himself.

Perek X
Daf 95 Amud a

כוחלת משום צובעת, גודלת ופוקסת – משום בונה. וכי דרך בגין בכך? אין, כדדרש רבי שמעון בן מנסיא: “ויבן ה’ אלהים את הצלע” מלמד שקילעה הקדוש ברוך הוא לחיה והביאה אצל אדם, שכן בכרבי הים קורין לקליעתא בניתא. תניא. רבי שמעון בן אלעזר אומר: גודלת כוחלת ופוקסת, לעצמה – פטורה, לחברתה – חייבת. וכן היה רבי שמעון בן אלעזר אומר משום רבי אליעזר: אשה לא תעביר סרק על פניה, מפני שצובעת.

A woman who applies eye shadow^h is liable due to dyeing; one who braids her hair and applies blush^h is liable due to the prohibition against building. The Gemara asks about this: **And is that the typical manner of building?** The Gemara answers: Yes, braiding one’s hair is considered building, as Rabbi Shimon ben Menasya taught that the verse states: “**And the Lord God built the side that He took from Adam into a woman**” (Genesis 2:22), which teaches that the Holy One, Blessed be He, braided Eve’s hair and brought her to Adam. From where is it derived that this is the meaning of built? It is because in the islands of the sea they call braiding building. It was taught in a *baraita* that Rabbi Shimon ben Elazar says: With regard to a woman who braids her hair and who applies eye shadow or blush on Shabbat, if she did it for herself, she is exempt; if she did it for another, she is liable. This is because a woman cannot perform these actions for herself in as complete a fashion as she can for someone else. **And, so too, Rabbi Shimon ben Elazar would say in the name of Rabbi Eliezer: A woman may not apply rouge to her face on Shabbat because by doing so she is dyeing,** which is one of the prohibited labors on Shabbat.

תנו רבנן: החולב והמחבץ והמגבן כגורגרת, המכבד, והמרפץ, והרודה חלות דבש, שגג בשבת – חייב חטאת, הייד ביום טוב – לוקה ארבעים, דברי רבי אליעזר. וחכמים אומרים: אחד זה ואחד זה אינו אלא משום שבות.

The Sages taught in a *baraita*: One who milks^h an animal, and one who sets milk to curdle,^h and one who makes cheese,^h in the measure of a dried fig-bulk, and one who sweeps the house, and one who sprinkles water on the floor, and one who removes honeycombs,^h if he did so unwittingly on Shabbat, he is liable to bring a sin-offering. If he did so intentionally on a Festival, he receives forty lashes; this is the statement of Rabbi Eliezer. **And the Rabbis say: Both this, on Shabbat and that, on a Festival, these actions are only prohibited due to a rabbinic decree, not by Torah law.** Therefore, one is neither liable to bring a sin-offering nor to receive lashes for performing those actions.

HALAKHA

Eye shadow – כוחלת: It is prohibited to apply eye shadow on Shabbat, and one who does so violates the prohibition against performing prohibited labor on Shabbat. Some authorities state that it is prohibited due to the primary category of dyeing, as per our Gemara, while others say that it is prohibited due to the primary category of writing. Yet others hold that it is a prohibition by rabbinic law (*Magen Avraham*, and see *Biur Halakha*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:12; *Shulhan Arukh*, *Orah Hayyim* 303:25).

One who braids her hair and applies blush – גודלת ופוקסת: It is prohibited for a woman to braid her hair on Shabbat. However, if she does so she is not liable. Some authorities rule that it is prohibited for a woman to part her hair even with her hand (*Rashi*), while others only prohibit doing so with a utensil (*Rema*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:26; *Shulhan Arukh*, *Orah Hayyim* 303:26).

One who milks – חולב: One who milks an animal on Shabbat is liable for performing the prohibited labor of extracting. The measure that determines liability by Torah law is a dried fig-bulk. If the cow is suffering because of its milk, it is permitted to milk it in an atypical manner or to ask a gentile to do it (*Rambam Sefer Zemanim*, *Hilkhot Shabbat* 8:7; *Shulhan Arukh*, *Orah Hayyim* 305:20).

One who sets milk to curdle – מחבץ: One who sets milk to curdle on Shabbat is liable for performing a subcategory of selecting, a primary category of labor. The measure that determines liability by Torah law is a dried fig-bulk (*Rambam Sefer Zemanim*, *Hilkhot Shabbat* 28:11, 21:7; *Shulhan Arukh*, *Orah Hayyim* 319:17).

One who makes cheese – מנבן: One who makes cheese on Shabbat is liable for performing a subcategory of building, a

primary category of labor. The measure that determines liability by Torah law is a dried fig-bulk (*Rambam Sefer Zemanim*, *Hilkhot Shabbat* 10:13).

Removing honeycombs – רדיית חלות דבש: It is prohibited to remove honey from a beehive because it is similar to the prohibited labor of severing. However, one who does so is not liable to bring a sin-offering, as per the ruling of the Rabbis. The Rema writes that this ruling only applies in a case where the honeycomb is connected to the beehive. However, if it was detached from the beehive before Shabbat, it is permitted to remove the honey that is on the honeycomb. Removing the honeycombs themselves remains prohibited (*Mishna Berura*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:6; *Shulhan Arukh*, *Orah Hayyim* 321:13 and in the comment of the Rema).

קטיל קני באגמא – A reed cutter in a swamp – Apparently, the students used this expression because picking reeds in a swamp is unskilled labor. Those who engage in that activity are completely ignorant.

NOTES

חולב חייב משום מפרק – One who milks is liable for extracting – Even though extracting is not itself a primary category of labor, the Gemara explains the prohibition of milking in terms of extracting. It does not say that one who milks is liable due to threshing because they are completely different. In contrast, milking and extracting are similar (*Aderet Eliyahu*). Many commentaries found the categorization of milking under the rubric of the primary category of threshing difficult, as most authorities hold that the prohibition of threshing applies only to plants (see *Tosafot*). Some explained that milking is prohibited by Torah law according to Rabbi Yehuda. However, the *halakha* is that it is prohibited only by rabbinic decree (*Rashba*). Others explained that the extracting mentioned with regard to milking on Shabbat is a subcategory of smoothing, not threshing (Rabbeinu Tam in *Sefer HaYashar*). Yet other commentaries ruled that since, in certain respects, an animal is considered an item that grows in the ground, milking indeed falls under the rubric of threshing (*ge'anim*, *Sefer HaHashlama*).

אמימר – Ameimar permitted sprinkling water in Mehoza – **שָׂרָא וְיִלְחָא בְּמִחוּזָא** This ruling is difficult, as the Sages said: An action may not be permitted due to special circumstances because there is concern that one may come to permit the action in a case where those circumstances do not apply (see *Shabbat* 29b, p. 137 in Part I). Some explained that leniency due to special circumstances is only rejected when the case where those circumstances do not apply is in the same city as where they do. When circumstances exist throughout the city, the leniency may be implemented (*Me'in*). Other commentaries explained that Ameimar holds in accordance with the opinion of Rabbi Shimon, who says that even on a dirt floor there is no Torah prohibition against sprinkling water. Decrees are not issued to prevent violation of a rabbinic decree or ordinance (Rabbi Elazar Moshe Horowitz).

HALAKHA

One who sweeps – **הַמְכַבֵּד**: It is prohibited to sweep a dirt floor on Shabbat. However, one who does so is not liable to bring a sin-offering. One may sweep a tiled floor on Shabbat. Some authorities permit sweeping even a dirt floor, while others even prohibit sweeping a tiled floor (*Mordekhai*; Rabbeinu Yeruham). The Rema writes that the prevalent custom is in accordance with the latter opinion, and it should not be changed. It is, however, permitted for a Jew to ask a gentile to sweep a dirt floor using a soft broom made with down or the like because that broom neither breaks nor fills holes in the floor (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:3; *Shulhan Arukh*, *Orah Hayyim* 337:2).

One who sprinkles – **הַמְרִיבֵץ**: It is permitted to sprinkle water on dirt floors in the house on Shabbat because one does not intend to fill the holes in the ground (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:3; *Shulhan Arukh*, *Orah Hayyim* 337:1).

And now that we hold in accordance with the opinion of Rabbi Shimon, etc. – **וְהָאִידָנָא דְסָבִירָא לִן בְּרַבִּי שְׁמַעוֹן וכו'** The *halakha* is in accordance with the opinion of Rabbi Shimon, who holds that it is permitted to perform an unintentional act on Shabbat as long as it will not inevitably lead to the performance of a prohibited labor (*Mishna Berura*; *Shulhan Arukh*, *Orah Hayyim* 337:1).

רב נחמן בר גוריא איקלע לנהרדעא, בעו מיניה: חולב משום מאי מתייב? אמר להו: משום חולב. מחבץ משום מאי מתייב? אמר להו: משום מחבץ. מגבן משום מאי מתייב? אמר להו: משום מגבן. אמרו ליה: רבך קטיל קני באגמא הוה. אתא שאיל בי מדרשא, אמרו ליה: חולב חייב משום מפרק, מחבץ חייב משום בור, מגבן חייב משום בונה.

המכבד, המרביץ והרודה תלות דבש, שגג בשבת – חייב חטאת, הויד ביום טוב – לוקה ארבעים, דברי רבי אליעזר. אמר רבי אלעזר: מאי טעמא דרבי אליעזר – דכתבי: "ויטבל אותה ביערת הדבש" וכי מה ענין יער אצל דבש? אלא לומר לך: מה יער, התולש ממנו בשבת – חייב חטאת, אף תלות דבש הרודה ממנו בשבת – חייב חטאת.

אמימר שרא זילחא במחוזא, אמר: טעמא מאי אמור רבנן – דילמא אתי לאשויי גומות, הכא ליכא גומות. רבא תוספאא אשכחיה לרבינא דקא מצטער מהבלא, ואמרי לה מר קשישא בריה דרבא אשכחיה לרב אשי דקא מצטער מהבלא, אמר ליה: לא סבר לה מר להא דתנאי: הרוצה לרביץ את ביתו בשבת מביא עריבה מלאה מים ורוחץ פניו בוויית זו, ידיו בוויית זו, רגליו בוויית זו, ונמצא הבית מתרביץ מאליו. אמר ליה: לאו אדעתא.

תנא: אשה חכמה מרביצת ביתה בשבת. והאידנא דסבירא לן פרבי שמעון – שרי אפילו לכתחלה.

The Gemara relates: Rav Nahman bar Gurya happened to come to Neharde'a. The students asked him: For what prohibited labor is one who milks liable? He said to them: For milking. For what prohibited labor is one who sets milk to curdle liable? He said to them: For setting milk to curdle. For what is a person who makes cheese liable? He said to them: For making cheese. They said to him: Your teacher was a reed cutter in a swamp^b who did not know how to explain the mishna to his students. He came and asked those questions in the study hall. They said to him: One who milks is liable for performing the prohibited labor of extracting,ⁿ which is a subcategory of threshing, on Shabbat. This is because when one extracts milk from a cow it is similar to the act of threshing, where one removes the desired content from its covering. One who sets milk is liable for the prohibited labor of selecting because part of the milk is separated and made into congealed milk. And one who makes cheese is liable for building because the cheese within the milk assumes a solid form, which is similar to the process of building.

The *baraita* cited above taught: With regard to one who sweeps^h the house, and one who sprinkles^h water on the floor, and one who removes honeycombs, if he did so unwittingly on Shabbat, he is liable to bring a sin-offering. If he did so intentionally on a Festival, he receives forty lashes; this is the statement of Rabbi Eliezer. Rabbi Elazar said: What is the rationale for the statement of Rabbi Eliezer? His rationale is as it is written: "And he put forth the end of the rod that was in his hand and dipped it in the honeycomb [*yarat hadevash*]" (1 Samuel 14:27). The Gemara wonders: What does a forest [*ya'ar*] have to do with honey [*devash*]? Rather, it comes to tell you: Just as with regard to a forest, one who picks from a tree on Shabbat is liable to bring a sin-offering, so too, with regard to a honeycomb, one who removes honey from it on Shabbat is liable to bring a sin-offering.

The Gemara relates: Ameimar permitted sprinkling water in the city of Mehoza.ⁿ He said: What is the reason that the Rabbis said it is prohibited to sprinkle water? It was due to concern lest one come to smooth out holes in an unpaved floor. Here, in Mehoza, there are no holes in the floor because all the houses have stone floors. The Gemara also relates: Rava Tosfa'a, an expert on the *Tosefta*, found that Ravina was suffering on Shabbat from the dusty hot air in the house. And some say that Mar Kashisha,^p son of Rava, found that Rav Ashi was suffering from the dusty hot air. Mar Kashisha said to Rav Ashi: And does my Master not hold in accordance with this *halakha* that was taught in a *baraita*: One who wishes to sprinkle water on the floor of his house on Shabbat, where it is otherwise prohibited, brings a large basin full of water, and washes his face in this corner, then moves the basin and washes his hands in this corner, his feet in this corner, and it will eventuate that the floor of the entire house is sprinkled by itself from the water that splashed in a backhanded manner? Rav Ashi said to him: It did not enter my mind to employ that method.

One of the Sages taught: A wise woman sprinkles water on the floor of her house on Shabbat by washing different vessels in different parts of the house. And now that we hold in accordance with the opinion of Rabbi Shimon,^h who maintains that it is permitted to perform an unintentional act on Shabbat, it is permitted to sweep and sprinkle water on the floor of a house on Shabbat even *ab initio*, because one's intention is not to smooth the holes in the floor.

PERSONALITIES

Mar Kashisha – **מר קשישא**: Apparently, both Rava and Rav Hisha had two sons each, named, or called, Mar. In order to distinguish between them, one was called Mar Kashisha, the elder, and the other Mar Yanuka, the younger. According to

Rashi, Mar Kashisha was the firstborn and Mar Yanuka was the youngest. However, according to *Tosafot*, Mar Yanuka was the elder and was so called because he was born in Rava's youth, whereas Mar Kashisha was born when Rava was older.

One who severs a leaf or a fruit from a plant growing in a flowerpot – התולש מעציץ נקוב – It is prohibited to sever anything from a plant on Shabbat, even from a plant in an imperforated flowerpot. One who severs a leaf or fruit from a perforated pot is liable to bring a sin-offering for unwittingly severing part of the plant (*Shulhan Arukh, Oraḥ Hayyim* 336:7).

מתני' התולש מעציץ נקוב – חייב, ושאינו נקוב – פטור. ורבי שמעון פוטר בזה ובוה.

MISHNA One who severs a leaf or a fruit from a plant growing in a perforated flowerpot^H on Shabbat is liable, as a plant in a flowerpot with holes in it has the legal status of a plant connected to the ground. Picking from it is prohibited due to reaping. And one who picks from an imperforated pot is exempt, but it is prohibited to do so *ab initio*. And Rabbi Shimon deems one who does so exempt in both this, the case of the perforated flowerpot, and that, the case of the imperforated flowerpot.

גמ' רמי ליה אביי לרבא, ואמר: לה רבי חייא בר רב לרב: תנן "רבי שמעון פוטר בזה ובוה", אלמא: נקוב לרבי שמעון בשאינו נקוב משוי ליה; ורמינהו, רבי שמעון אומר: אין בין נקוב לשאינו נקוב

GEMARA Abaye raised a contradiction before Rava, and some say it was Rabbi Ḥiyya bar Rav who raised the contradiction before Rav: On the one hand, we learned in the mishna that Rabbi Shimon deems one exempt in both this case and that case. Apparently, Rabbi Shimon equates a perforated pot with an imperforated pot. And they raised a contradiction: Rabbi Shimon says: The only difference between a perforated pot and an imperforated pot

Perek X
Daf 95 Amud b

NOTES

Rabbi Shimon's opinion with regard to a perforated pot – שיטת רבי שמעון בעציץ נקוב: Most commentaries wondered why the Gemara found a contradiction between Rabbi Shimon's statements in the mishna and the *baraita*, when there was no necessity to interpret his statements in that way. *Tosafot* raised the question and suggested several answers. One explanation is that the language in the mishna: Rabbi Shimon deems one exempt in both this case and that case, means that the legal status of a perforated pot is equal to that of an imperforated pot in every sense. Therefore, the question was raised from the *baraita* with regard to rendering seeds susceptible to becoming ritually impure (Rashba).

ואי איתמר – להא דרבי זירא: In other words, the emendation of Rabbi Zeira's statement was to resolve the difficulty that was raised. In addition, it explains why he did not respond to the Elder. The Gemara explains that the two cases are not at all related, as a pot that was broken to the extent that it can no longer become ritually impure, i.e., it no longer holds a quarter of a *log*, no longer has the legal status of a vessel. However, no proof can be cited from there with regard to whether or not a potted plant is considered to draw sustenance from the ground (Rabbeinu Tam).

אלא להקשיר זרעים בלבד! אמר ליה: לכל מילי – רבי שמעון בתלוש משוי ליה. ושאינו לענין טומאה – דהתורה יובתה טהרה אצל זרעים, שנאמר: "על כל זרע זרוע אשר זרע".

is with regard to rendering seeds capable of becoming ritually impure. Seeds that are in a perforated pot have the legal status of seeds planted in the ground and, as such, cannot become ritually impure. Seeds that are in an imperforated pot are considered detached from the ground and can become ritually impure. Apparently, in other areas of *halakha*, Rabbi Shimon holds that a plant in a perforated pot has the legal status of a plant in the ground (*Me'iri*). He said to him: With regard to all matters of *halakha*, Rabbi Shimon equates the status of a perforated pot with that of being detached.^N However, the matter of impurity is different, as the Torah amplified purity with regard to seeds, as it is stated: "And if anything falls from their carcasses upon any sowing seed that is sown, it is pure" (Leviticus 11:37). The repetitive language: "Any sowing seed that is sown" teaches that any seed that can be characterized as sowing, including one growing in a perforated pot, remains pure. However, in other areas of *halakha*, the status of a perforated pot is equal to that of an imperforated pot.

בעא מיניה ההוא סבא מרבי זירא: שורש כנגד נקב מה לי אמר רבי שמעון? אישתיק ולא אמר ליה ולא מידי. וזמנא חדא אשבחיה דיתיב וקאמר: ומודה רבי שמעון שאם נקב בכדי טהרתו. אמר ליה: השתא שורש כנגד נקב בעאי מינך ולא אמרת לי ולא מידי, נקב בכדי טהרתו מיבעיא!?

A certain Elder raised a dilemma before Rabbi Zeira: In a case where the root of a plant in a perforated pot is opposite the hole, what would Rabbi Shimon say in terms of whether or not it is considered attached to the ground? He was silent and did not say anything to him. The Gemara relates that once the same Elder found Rabbi Zeira, who was sitting and saying: And Rabbi Shimon agrees that if the hole in the flowerpot is large enough to render it ritually pure, i.e., unable to hold olives, it is considered attached to the earth with regard to Shabbat. He said to him: Now, I raised a dilemma before you as to Rabbi Shimon's ruling in a case where the root is opposite the hole, and you did not say anything to me. With regard to a case where the root is not actually opposite the hole, but its hole is large enough to render it pure, do you need to tell me that the dilemma whether or not it is considered detached is unresolved? Rather, this must certainly be understood differently.

אמר אביי, ואי איתמר להא דרבי זירא – הכי הוא דאיתמר: ומודה רבי שמעון שאם נקב למשה מרביעית.

Abaye said: And if the statement of Rabbi Zeira that Rabbi Shimon holds that a perforated pot is considered attached to the ground, was stated,^N it was stated as follows: And Rabbi Shimon agrees that if the pot was perforated below the level where it could hold a quarter of a *log*, it is no longer considered a vessel, and the plants are considered attached to the ground.

טְהוּרַת כְּלֵי חָרָס – Purification of an earthenware vessel – An earthenware vessel that was perforated with a small hole from which liquid seeps out is no longer considered a vessel, and its shards are ritually pure. However, for the purposes of sanctifying the purification waters of the red heifer, it retains the status of a complete vessel. Consequently, it remains suitable for this purpose. If the hole is large enough to allow the entry of liquids, it is no longer suitable for the sanctification of the purification waters. However, the water within it is still capable of transferring ritual impurity. If the hole in the vessel is the size of a small root, the water inside the vessel is incapable of transferring ritual impurity, although the vessel itself retains the ability to contract impurity due to the fact that it retains its status as a vessel. If the hole in the vessel is large enough for olives to fit through it, the vessel is no longer susceptible to ritual impurity. However, when such a vessel has a sealed cover, it can still protect items inside it from the impurity imparted by being under the same roof as a corpse, unless more than half of the vessel is broken (Rambam *Sefer Tahara*, *Hilkhot Kelim* 19:2).

NOTES

אָצְמִיד פְּתִיל – A sealed cover – The Torah states that any person, vessel, or food under the same roof as a corpse becomes ritually impure (Numbers 19). The only exceptions are objects inside a sealed earthenware vessel, which do not become impure. Therefore, the Gemara asserted that even a vessel that is broken to the extent that a pomegranate goes out of it retains the legal status of a sealed vessel with regard to preventing objects from becoming ritually impure.

HALAKHA

שׁוּנִין: כְּלֵי חָרָס – They teach: An earthenware vessel, etc. – **זכור:** If an earthenware vessel made to hold liquids has a hole large enough to allow the entry of liquids, it can no longer become ritually impure, as per the statement of Rav Asi (Rambam *Sefer Tahara*, *Hilkhot Kelim* 19:1).

BACKGROUND

Shard – **גִּיסְטְרָא** – According to the sources, this apparently refers to the rounded bottom of an earthenware vessel that broke. It was used as a base upon which perforated flowerpots or utensils were placed to prevent leaking water from dirtying the house. Therefore, it is clear why a *gistera* that was at all damaged loses vessel status, as it is neither suited for its designated use, to prevent the water from dripping, nor for any other use.

אָמַר רַבָּא, חֲמֵשׁ מִדּוֹת בְּכָלִי חָרָס: נִקְבַּת בְּמוֹצֵיא מִשְׁקָה – טְהוֹר מִלְטָמָא גִיסְטְרָא, וְעֵדִיין כְּלִי הוּא לְקַדֵּשׁ בּוֹ מִי חֲטָאָת. נִקְבַּת בְּכוֹנִים מִשְׁקָה – טְהוֹר מִלְקָדֶשׁ בּוֹ מִי חֲטָאָת, וְעֵדִיין כְּלִי הוּא לְהַכְשִׁיר בּוֹ זֵרַעִים. נִקְבַּת בְּשׁוֹרֶשׁ קָטָן – טְהוֹר מִלְהַכְשִׁיר בּוֹ זֵרַעִים, וְעֵדִיין כְּלִי הוּא לְקַבֵּל בּוֹ יֵיתִים. נִקְבַּת בְּמוֹצֵיא יֵיתִים – טְהוֹר מִלְקָבֵל בּוֹ יֵיתִים, וְעֵדִיין כְּלִי הוּא לְקַבֵּל בּוֹ רִימוֹנִים. נִקְבַּת בְּמוֹצֵיא רִימוֹנִים – טְהוֹר מִכְלוֹם. וְאִם הוֹקֵף צְמִיד פְּתִיל – עַד שִׁפְחַת רֹבּוֹ.

אָמַר רַב אֲסִי: שָׁמַעְתִּי "כְּלִי חָרָס שִׁיעוֹר בְּמוֹצֵיא רִימוֹן". אָמַר לִיה רַבָּא: שָׁמָּא לֹא שָׁמַעְתָּ אֱלָא בְּמוֹקֵף צְמִיד פְּתִיל. וְהָא רַבָּא הוּא דְאָמַר "מוֹקֵף צְמִיד פְּתִיל עַד שִׁפְחַת רֹבּוֹ"! לֹא קִשְׁיָא.

Apropos the purification of an earthenware vessel, the Gemara cites that Rava said: **Five measures** were stated with regard to holes in an earthenware vessel:¹⁴ If it was perforated with a small hole from which liquid seeps, it is no longer a vessel and is ritually pure in terms of the impurity of a shard. Certain shards of impure earthenware vessels remain impure if they can still be used. If it has a hole, even a small one that liquids can flow through, it can no longer transmit ritual impurity. However, it remains a complete vessel in which to sanctify the purification waters of the red heifer, which require a whole vessel. And if it was perforated with a hole large enough to enable liquid to enter the vessel, it is ritually pure in terms of sanctifying the purification waters in it, but it remains a vessel in terms of rendering seeds in it capable of becoming ritually impure. And if it was perforated with a hole the size of a small root, it is ritually pure in terms of rendering seeds in it capable of becoming ritually impure, but it remains a vessel that can become ritually impure in terms of holding olives. And if it was perforated with a hole large enough to enable olives to go out, it is pure in terms of the impurity of all other vessels that can hold olives, but it remains a vessel in terms of holding pomegranates. If the vessel is designated for use in holding pomegranates, it can become ritually impure because it is suitable for that use. If it was perforated with a hole large enough to enable pomegranates to go out, it is ritually pure from any type of impurity. And if the mouth of an earthenware vessel that is in a room with a corpse is surrounded by a sealed cover,¹⁵ it does not become ritually pure, even if its hole was large enough to enable a pomegranate to go out. It protects whatever is inside the vessel from contracting impurity, unless the majority of the vessel is broken.

Rav Asi said: I heard that with regard to an earthenware vessel, the measure of the hole that renders it unable to become ritually impure is large enough to enable a pomegranate to go out. Rava said to him: Perhaps you only heard this when its mouth is surrounded by a sealed cover, but an ordinary earthenware vessel becomes ritually pure with a hole big enough to enable an olive to go out. The Gemara asks: Isn't Rava himself the one who said that an earthenware vessel that is surrounded by a sealed cover protects whatever is inside the vessel from contracting impurity unless the majority of the vessel is broken? The Gemara answers: This is not difficult.

Perek X
Daf 96 Amud a

הָא – בְּרַבְרָבִי וְהָא – בְּזוֹטְרִי. אָמַר רַב אֲסִי, שׁוּנִין: כְּלִי חָרָס שִׁיעוֹר בְּכוֹנִים מִשְׁקָה. וְלֹא אָמְרוּ מוֹצֵיא מִשְׁקָה – אֱלָא לְעֵנֵן גִּיסְטְרָא בְּלֵבֶד. מֵאֵי טַעְמָא? אָמַר מֵר זוּטְרָא בְּרִיה דְּרַב נַחֲמָן, לִפִּי שְׂאִין אוֹמְרִים "הֵבָא גִיסְטְרָא לְגִיסְטְרָא".

This statement, that a hole must be large enough to enable a pomegranate to go out in order to purify the vessel, is referring to large vessels. And this statement, that teaches that a vessel is purified only when the majority of the vessel is broken, is referring to small vessels. Rav Asi said that they teach¹⁶ this *halakha*: With regard to an earthenware vessel,¹⁷ the measure of the hole that renders it unable to become ritually impure is large enough to enable liquid to enter it. And they only said: The measure of a small hole from which liquid seeps, with regard to the impurity of a shard [*gistera*].¹⁸ The Gemara asks: What is the reason for this? The Gemara answers that Mar Zutra, son of Rav Nahman, said: A shard is used as a plate beneath a perforated earthenware vessel. If the shard is also perforated and leaks, it is no longer of any use. Because one does not say: Bring another shard to seal the leak of a shard, but throws it out immediately.

NOTES

They teach – **שׁוּנִין:** Rashi (see tractate *Nidda* 49a) explains that this expression connotes an ancient *halakha* transmitted to Moses from Sinai.

LANGUAGE

Shard [*gistera*] – **גִּיסְטְרָא:** Apparently from the Greek γάστρα, *gastrea*, or γάστρη, *gastre*, meaning the rounded bottom of a vessel.

Two *amora'im*...disagree about this topic – פְּלִיגִי בָּהּ – תְּרֵי אַמּוֹרָאִי: The subject of their dispute is not sufficiently clear. Rashi explains that they disagree with regard to rendering seeds susceptible to become ritually impure. *Tosafot* explains that the disagreement is with regard to a vessel with a sealed cover. The Ramban holds they that they disagree with regard to rendering seeds susceptible to become ritually impure, but only according to Rabbi Shimon's opinion, cited on the previous page, with regard to the size of the hole that causes a flowerpot to lose its vessel status. Apparently, Rabbeinu Hananel holds that they disagree with regard to the purification of earthenware vessels in general.

אָמַר עוּלָא: פְּלִיגִי בָּהּ תְּרֵי אַמּוֹרָאִי
בְּמַעֲרָבָא. רַבִּי יוֹסֵי בְּרַבִּי אֲבִין וְרַבִּי יוֹסֵי
בַּר זְבִידָא; חֵד אָמַר: כְּמוֹצִיא רִמּוֹן, וְחֵד
אָמַר: כְּשׁוֹרֵשׁ קָטָן, וְסִימְנִיד: אֶחָד הַמְּרַבֵּה
וְאֶחָד הַמִּמְעִיט. אָמַר רַב חִינָנָא בַּר כְּהֵנָא
מִשְׁמִיָּה דְּרַבִּי אֱלִיעֶזֶר: כָּלִי חָרָס שִׁיעוּרוֹ
כְּמוֹצִיא זֵיתִים. וְאָמַר קַשִּׁישָׁא בְּרִיה דְּרַבָּה
מִסִּיָּים בָּהּ מִשְׁמִיָּה דְּרַבִּי אֱלִיעֶזֶר: וְהָרִי
הוּא כְּכָלִי גָּלִילִים וְכָלִי אֲבָנִים וְכָלִי אֲדָמָה,
שָׂאִין מְקַבְּלִין טוּמְאָה לֹא מִדְּבָרֵי תוֹרָה
וְלֹא מִדְּבָרֵי סוֹפְרִים. וְלַעֲנִין צְמִיד פְּתִיל –
עַד שִׁפְחַת רֹבּוֹ.

Ulla said: Two *amora'im* in the West, Eretz Yisrael, disagree about this topic:^N They are Rabbi Yosei, son of Rabbi Avin, and Rabbi Yosei bar Zavda. One said: The measure of a hole that purifies an earthenware vessel is large enough to enable a pomegranate to go out. And one said: The size of a small root. And your mnemonic to remember that neither holds that the measure is size of an olive is the expression: **Both one who increases and one who decreases.** They hold extreme positions in this dispute and eschew the intermediate position. Rav Hinnana bar Kahana said an intermediate position in the name of Rabbi Eliezer: An earthenware vessel becomes ritually pure with a hole large enough to enable olives to go out. And Mar Kashisha, son of Rabba, concluded this *halakha* in the name of Rabbi Eliezer: And vessels that have been perforated are like dung vessels, and so too, stone vessels and earth vessels that were not baked in a kiln, which neither become impure by Torah law nor by rabbinic law. And, as far as the matter of an earthenware vessel with a sealed cover in a room with a corpse, it maintains its impurity until the majority of it is broken.

הדרן עלך המצניע

Summary of Perek X

Among the fundamental topics discussed in this chapter is the double distinction made with reference to the category of labor known as carrying out. On the one hand is the extent to which we consider the value of the act itself from the perspective of significant measures, and on the other hand is the extent to which a person's intentions determine whether there is cause to be strict or lenient with him. With regard to minimum measures, the *halakha* is strict. If an amount less than the minimum measure is significant to a particular person, that person may not carry out this lesser quantity. However, when defining a completed labor, the *halakha* is lenient. If a person performs a labor which, for his own subjective needs, that person does not consider finished, the labor is not defined as complete by the *halakha*, even if others would consider the labor complete.

There is great importance to the rules established by the Rabbis with regard to the manner in which the carrying out is done. Therefore, only when the object is transported from one domain to the other in a usual and customary manner is one liable, whereas carrying out in an unusual manner, although prohibited, does not involve a violation of biblical law. Even with reference to carrying an object contained in a vessel or utensil, personal intentions are so crucial that a person carrying out an object in a vessel is liable only for the item one intended to transport.

Another topic discussed here, although conclusive treatment is reserved for a later chapter, is the matter of when the labor is done in partnership, i.e., by more than one person. The general principle was established that it is impossible to consider labor done by more than one person a biblical violation, so long as no one person was the dominant participant in the labor. There is no liability for labor done partially or jointly, unless that is the manner in which the labor is customarily performed.

Incidentally, this chapter dealt with other categories of labor with reference to its central theme. Chapter Ten asked: What is considered the customary manner in which fingernails are trimmed and objects uprooted from their source, and what are the unusual ways in which these activities are performed? It was decided that there are fixed conventions for performing these activities. If one performs the activity differently from the way in which most people perform it, or if the action performed is not generally considered significant, one is not liable.

Introduction to Perek XI

... remain every man in his place; let no man go out of his place on the seventh day.

(Exodus 16:29)

And Moses gave commandment, and they caused it to be proclaimed throughout the camp, saying: Let neither man nor woman do any more labor for the offering of the sanctuary; so the people were restrained from bringing.

(Exodus 36:6)

And four wagons and eight oxen he gave to the sons of Merari, according to their service, under the hand of Itamar the son of Aaron the priest.

(Numbers 7:8)

And the tabernacle was taken down; and the sons of Gershon and the sons of Merari set forward, bearing the Tabernacle.

(Numbers 10:17)

Although previous chapters of tractate *Shabbat* dealt with the laws of carrying out, the discussion is completed in this chapter, not only with regard to details but also with regard to many fundamental questions. Until this point, two aspects of carrying out were distinguished: Carrying out an object from one domain to another, and transporting an object more than four cubits in the public domain. In this chapter, an additional group of *halakhot* is discussed: The laws of throwing and extending an object from one domain to another via an intervening domain.

Although the laws of throwing and extending are closely related to other details of carrying out, they nevertheless have a certain unique quality. A biblical decree [*gezeirat hakatuv*] distinguishes between throwing and extending, on the one hand, and the more common methods of carrying out, on the other. This distinction carries with it some implications that are lenient and others that are stringent.

There is another question that is intrinsic to the very essence of throwing. While transporting an object is an action that is continuous over a period of time, throwing is one instantaneous act. The labor category of carrying out is contingent upon the transportation of an object from one point to another, based on lifting up [*akira*] and placing down [*hanakha*]. As a result, questions arise with regard to the connection between the act of throwing and the landing of the object in its place. Additionally, it is necessary to determine the extent to which the intention of the thrower is significant at each point in the flight of the object.

In the course of the clarification of these particularly unique *halakhot*, an explication of basic principles is reached. A fundamental scriptural basis for all of the laws of carrying out is discovered, the underlying foundations of which are the flags in the wilderness, the configuration of the children of Israel as they made their way through the desert, and the method by which they transported the utensils of the Tabernacle and its walls. Based on this underlying foundation, it then becomes necessary to determine what can be derived from the biblical verses, which conclusions can be reached using a logical approach, and which matters we must accept on the basis of the traditions of the Oral Law.

These general issues and the particular questions which stem from them, all of which touch upon the major principles of carrying out, constitute the main topic of this chapter.

מתני' הוזק מרשות היחיד לרשות הרבים, מרשות הרבים לרשות היחיד – חייב. מרשות היחיד לרשות היחיד – רבי עקיבא – מחייב, וחכמים פוטרין.

ביצד: שתי גזוזטראות זו כנגד זו ברשות הרבים, המושיט והוזק מזו לזו – פטור. היו שתיהן בדיוטא אחת, המושיט – חייב, והוזק – פטור, שכך היתה עבודת הלויים:

שתי עגלות זו אחר זו ברשות הרבים, מושיטין הקרשים מזו לזו, אבל לא זרקין.

MISHNA One who throws an object on Shabbat from the private domain to the public domain or from the public domain to the private domain¹ is liable. However, one who throws an object from the private domain to the other private domain, and the object passes through the public domain between the two, Rabbi Akiva deems him liable for carrying into the public domain, and the Rabbis deem him exempt.

How so? If there are two balconies [gezuztra'ot]^{1b} that are private domains opposite each other on either side of the public domain, one who passesⁿ or throws an object from the one on this side to the one on that side is exempt. However, if the balconies were on the same level on the same side of the public thoroughfare, and the public domain separated the two, one who passes from one to the otherⁿ is liable, and one who throws is exempt, as that method, passing, was the service of the Levites who carried the beams of the Tabernacle.

In the Tabernacle, two wagons along the same level stood behind one another in the public domain, and the Levites passed the beams from one wagon to the other through the public domain on the same side of a thoroughfare. But they did not throwⁿ from one wagon to another because the beams were heavy. Passing, which was performed in the Tabernacle, is prohibited. Throwing, which was not performed in the Tabernacle, is not prohibited.

HALAKHA

One who throws an object from one domain to another – הוזק מרשות לרשות: One who throws or passes an object on Shabbat from the private domain to the public domain or vice versa is liable (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 12:10; *Shulhan Arukh*, *Orah Hayyim* 346:1).

One who passes from one to the other – המושיט – One who passes or throws an object from one private domain

to another private domain via a public domain is exempt if the private domains are on opposite sides of the public domain. However, if they are both along the same side of the public domain, one who passes an object between them is liable, as that mirrors the service of the Levites in the Tabernacle. One who throws an object between the two private domains is exempt (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 13:18–19).

NOTES

One who passes – המושיט – The prohibition to pass objects over the public domain is unique among the subcategories of carrying out because, among other things, it applies even in the airspace above the public domain. This ruling is according to most commentaries and authorities, although it is the subject of a dispute between the Babylonian Talmud and the Jerusalem Talmud. In the Jerusalem Talmud, the question was raised: Why would two people involved in passing an object both be liable? The following principle pertains to the *halakhot* of Shabbat: If two individuals perform a prohibited labor together, they are exempt. The solution offered there is that passing, by its very nature, can only be performed by two people, in which case the *halakha* is that both are liable.

An additional question was raised in the Jerusalem

Talmud: Why does the mishna distinguish between passing along the length of the public domain, in which case the two individuals are liable, and passing across the public domain, in which case they are exempt? Once the prohibited labor is derived from the construction of the Tabernacle, what difference does it make in which direction the object is passed? The reason for the distinction is as follows: The act of passing involves liability even in the airspace above the public domain. Since this liability is a novel element, it takes effect only in circumstances identical to the passing performed in the construction of the Tabernacle in the desert (*Me'iri*).

But they did not throw – אבל לא זרקין – In the Jerusalem Talmud it is explained that they did not throw the beams, as that would be a display of contempt for their sanctity.

LANGUAGE

Balcony [gezuztra] – גזוזטרא – From the Greek ἐξώστρα, *exostra*, meaning balcony or area that protrudes from a building.

BACKGROUND

Balconies [gezuztra'ot] – גזוזטראות –



Reconstructed balcony of a house in Pompeii, from the period of the Mishna

HALAKHA

The prohibition of carrying out – איסור הוצאה: Carrying an object out from the private to the public domain and carrying an object in from the public to the private domain are labors prohibited on Shabbat. Carrying in an object is considered a labor, as is derived from the verse concerning Moses cited above in the Gemara: “And Moses commanded, and they passed a proclamation throughout the camp saying: Neither man nor woman should perform any more work to contribute to the Sanctuary; and the people stopped bringing” (Exodus 36:6). This is in accordance with both the Gemara and Rav Hai Gaon’s variant reading of the Gemara (Rambam *Sefer Zemanim, Hilkhos Shabbat* 12:8).

If one performs two different primary categories, etc. – דאי עביד שתי אבות וכו’: The only difference between primary categories prohibited on Shabbat and their subcategories is with regard to the obligation to bring a sin-offering. If an individual unwittingly performs many different primary categories of labor on Shabbat, he is liable to bring a sin-offering for each and every primary category. However, if he performs a primary category of labor and its subcategory during a single period of lack of awareness, he is liable to bring only one sin-offering (Rambam *Sefer Zemanim, Hilkhos Shabbat* 7:7).

גמ’ מכדי, וריקה תולדה דהוצאה היא, הוצאה גופה היכא כתיבא? אמר רבי יוחנן, דאמר קרא: “ויעצו משה ויעבירו קול במחנה.” משה היכן היה יתיב – במחנה לויה, ומחנה לויה רשות הרבים הוא, וקאמר להו לישראל: לא תפיקו ותיתו מרשות היחיד דיכחו לרשות הרבים.

וממאי דבשבת קאי, דילמא בחול קאי, ומשום דשלימא לה מלאכה? בדכתיב: “והמלאכה היתה דים וגו’.” גמר “העברה” “העברה” מיום הכפורים.

כתיב הכא: “ויעבירו קול במחנה.” וכתיב התם: “והעברת שופר תרועה,” מה להלן – ביום אסור, אף כאן – ביום אסור.

אשכחן הוצאה, הכנסה מנלן? סברא היא, מכדי מרשות לרשות הוא, מה לי אפוקי ומה לי עולי? מיהו, הוצאה – אב, הכנסה – תולדה.

ומכדי, אהא מיחייב ואהא מיחייב, אמאי קרי לה האי ‘אב’ ואמאי קרי לה האי ‘תולדה’?

נפקא מינה: דאי עביד שתי אבות בהדי הדדי, אי נמי, שתי תולדות בהדי הדדי – מיחייב תרתי, ואי עביד אב ותולדה דידיה – לא מיחייב אלא חדא.

GEMARA With regard to the main issue, the Gemara asks: **After all, throwing is a subcategory of carrying out.^H Where is the primary category of prohibited labor of carrying out itself written in the Torah?^N** Isn’t it necessary to clarify the primary category before discussing the subcategory? **Rabbi Yohanan said: As the verse said: “And Moses commanded, and they passed a proclamation throughout the camp saying: Neither man nor woman should perform any more work to contribute to the Sanctuary; and the people stopped bringing” (Exodus 36:6).** According to Rabbi Yohanan, Moses commanded the people to cease bringing contributions in order to prevent them from bringing their contributions on Shabbat. He then explains: **Where was Moses sitting? He was in the camp of the Levites, and the Levites’ camp was the public domain. And he said to Israel: Do not carry out and bring objects from the private domain, your camp, to the public domain, the camp of the Levites.**

The Gemara asks: **And how do you know that he was standing and commanding the people on Shabbat? Perhaps he was standing during the week, and Moses commanded the cessation of contributions because the labor of the Tabernacle was completed,** since all the necessary material was already donated, **as it is written: “And the work was sufficient for them for all of the work to perform it, and there was extra” (Exodus 36:7).** Rather, derive this by means of a verbal analogy between passing mentioned in this context and passing mentioned with regard to Yom Kippur.

It is written here, with regard to the Tabernacle: **“And they passed a proclamation throughout the camp,”** and it is written there, with regard to Yom Kippur: **“And you shall pass a blast of a shofar on the tenth day of the seventh month, on Yom Kippur you shall sound a shofar throughout your land” (Leviticus 25:9).** **Just as there,** with regard to the shofar of the Jubilee Year, passing is on a day on which it is prohibited to perform labor, **so too, here passing is on a day on which it is prohibited to perform labor.**

The Gemara asks: **We found a source prohibiting carrying out from a private domain into the camp of the Levites. From where do we derive that carrying in is also considered a prohibited labor?** The Gemara answers: **It is a logical inference.^N After all, carrying is from one domain to another, so what difference is there to me whether it is carrying out or carrying in?** Carrying from one domain to another is prohibited; the direction in which the object is carried makes no difference. **However, carrying out is a primary category, while carrying in is a subcategory,** as it is not stated explicitly in the biblical text.

The Gemara now questions the distinction between primary categories and subcategories of labor. **After all, one is liable for this, carrying out, and one is liable for that, carrying in. Why is this called a primary category, and why is this called a subcategory?** What is the point of the distinction?

The Gemara answers: The practical ramification is that **if one performs two different primary categories^H together, or alternatively, if one performs two subcategories of two different primary categories together, he is liable to bring two sin-offerings. And if one performs a primary category of labor together with its own subcategory, he is liable to bring only one sin-offering.**

NOTES

Where is carrying out itself written – הוצאה גופה היכא כתיבא: Many *ge'onim* and early commentaries preferred a variant reading of this Gemara: From where do we derive that carrying out is a prohibited labor? While it is clear that the workers carried out from domain to domain in the course of constructing the Tabernacle, it is unclear whether or not carrying should be categorized as labor, since the object that is carried undergoes no creative transformation. Therefore, it was necessary to establish that carrying is indeed a labor. The *ge'onim* and Rabbeinu Hananel after them therefore eliminated the

entire passage that proves that it took place on Shabbat. Once it was proven that carrying out on Shabbat is indeed a prohibited labor, the question whether Moses made his declaration on Shabbat or during the week is irrelevant.

It is a logical inference – סברא היא: Since the Gemara proved from the text that carrying from one domain to another is considered a labor, it is then possible to discuss the issue logically and to argue that there is no difference between carrying out and carrying in (Rabbi Eliezer Horowitz).

Shuttle [bukhyar] – בוקיאר: The origin of this word is unclear, as is its correct spelling. Indeed, the spelling of this word has several versions. Nevertheless, the essence of the shuttle is no mystery. The shuttle used in the time of the Gemara was a small reed to which one tied the thread of the woof and passed or threw it between the threads of the warp. A slightly more sophisticated shuttle was constructed with a type of tube with a small ball of the thread of woof inside of it. This type of shuttle was utilized in weaving until recent times.

ולרבי אליעזר דמחייב אתולדה במקום אב, אמאי קרו לה אב ואמאי קרו לה תולדה? הך דהואי במשכן חשיבא – קרי לה אב, הך דלא הואי במשכן חשיבא – לא קרי לה אב. אי נמי: הך דכתיבא – קרי אב, והאי דלא כתיבא – קרי תולדה.

The Gemara further asks: **And according to the opinion of Rabbi Eliezer, who renders one liable for the performance of a subcategory of prohibited labor when performed together with a primary category, why is this called a primary category, and why is this called a subcategory?** The Gemara answers: According to him, **that which was a significant labor in the Tabernacle is called a primary category; that which was not a significant labor in the Tabernacle is not called a primary category.** Alternatively, perhaps **that which is written explicitly in the Torah is called a primary category, and that which is not written explicitly in the Torah is called a subcategory.**

והא דתנן: הזורק ארבע אמות בכותל, למעלה מעשרה טפחים – כוזק באויר, למטה מעשרה טפחים – כוזק בארץ. והזורק בארץ ארבע אמות – חייב.

And as for the *halakha* that we learned in a mishna: With regard to **one who throws an object on Shabbat a distance of four cubits in the public domain and it lands on a wall, if the wall was higher than ten handbreadths, it is as if he threw it into the air, and he is exempt.** If the wall was lower than ten handbreadths, it is as if he threw it onto the ground, and one who throws an object a distance of four cubits onto the ground in the public domain is liable.

זרק ארבע אמות ברשות הרבים מנלן דמחייב? אמר רבי יאשיה: שכן אורגי יריעות זורקין מחטיהן זה לזה. אורגין מחטין למה להו? אלא, שכן תופרי יריעות זורקין מחטיהן זה לזה.

The Gemara asks: **If one threw an object four cubits in the public domain, and it did not go from one domain to another, from where do we derive that he is liable?** The Gemara answers: **Rabbi Yoshiya said: Because the weavers of the tapestries in the Tabernacle throw their needles to each other when they need to borrow the other's needle.** Throwing was a labor performed in the Tabernacle; therefore, one is liable for performing it. The Gemara wonders: **Why do weavers need needles?** Rather, emend the statement to say: **Because those who sewed the tapestries throw their needles to each other.**

ודילמא גבי הדדי הוו יתבי? מטר הדדי במחטין. דילמא בתוך ארבע הוו יתבי?

The Gemara asks: **Is it clear that they had to throw needles to each other? Perhaps they sat next to each other.** The Gemara answers: It is clear that they kept their distance from each other. If they sat too close, **they would reach each other** and hurt one another **with their needles.** The Gemara asks: **Perhaps,** even though they kept their distance, they **sat within four cubits** of each other, and they would not throw the needles farther than that. In the absence of proof of their sitting arrangement, this *halakha* cannot be derived from those who sewed the tapestries.

אלא אמר רב חסדא: שכן אורגי יריעות זורקין בוכיאר בידיה. והלא אוגדו בידו! בניסכא בתרא.

Rather, **Rav Hisda said: Throwing an object four cubits in the public domain is prohibited because the weavers of the tapestries in the Tabernacle threw the shuttle,**⁸ to which the thread of the warp was tied **on the tapestry.** Weaving entails throwing the thread of the warp through the threads of the woof. The Gemara asks: That is not actually throwing, **as didn't the weaver hold the end of the thread in his hand?** One is not liable for throwing an object when part of it remains in his hand. Rather, this must be referring to **the final throw,** when the weaving was finished and the weaver released the thread from his hand.

והא במקום פטור קאזלא! אלא, שכן אורגי יריעות זורקין בוכיאר לשואליהן. ודילמא גבי הדדי הוו יתבי? מטר הדדי בחפץ.

The Gemara asks: **Doesn't the shuttle go in an exempt domain?** The tapestry was less than four handbreadths wide, rendering it an exempt domain even though it is four cubits long. One who throws in an exempt domain is exempt. **Rather, it is because the weavers of tapestries throw the shuttle to those who seek to borrow it from them.** The Gemara asks: **But perhaps they sat next to each other?** The Gemara answers: That is impossible because **they would reach one another** and disturb one another when tightening the thread at **the end** of the tapestry.

ודילמא שלחפי הוו משלחפי? ותו: מי שאילי מהדדי? והתניא לודא: "איש איש ממלאכתו אשר הקמה עשים" – ממלאכתו הוא עושה, ואינו עושה ממלאכת חבירו!

The Gemara asks: **And perhaps they were not in a straight line but staggered.** That would enable the weavers to sit adjacent to each other without disturbing each other's work. **And furthermore, did they borrow from each another? Wasn't the following taught in a baraita of the Sage Luda?** The verse states: "And all the wise men who performed all of the work of the Sanctuary came, **each one from the work he was doing**" (Exodus 36:4). From that verse it is derived: **Each performed the labor from his own work, and they would not perform the labor from their friends' work.** Each person had his own tools and did not need to borrow from others.

One who carries an object four cubits in the public domain – מעביר ארבע אמות ברשות הרבים: There is a significant difference between carrying an object from one domain to another and carrying an object four cubits within the public domain. Indeed, considering carrying within the public domain a subcategory of carrying between domains is not obvious. The opinion of Rabbi Yehuda is mentioned in the Jerusalem Talmud. He lists forty primary categories of prohibited labor, including separate listings for carrying from domain to domain and carrying four cubits in the public domain. However, the Sages who disagree with him consider carrying within the public domain to be a subcategory of the primary category of carrying out. They explain that the fundamental principle that one is liable for moving an object, even when no change is made to the object, is derived from the primary category of carrying out.

The wood gatherer – מקושש: The Sages who disagreed with regard to the case of the wood gatherer did not disagree about the nature of his action; the dispute concerned the nature of his violation. The Sages cited different primary categories of prohibited labor that the wood gatherer performed through his action, as the act of gathering wood could theoretically constitute to several primary categories.

HALAKHA

One who carries an object four cubits in the public domain – מעביר ארבע אמות ברשות הרבים: When one carries an object four cubits in the public domain on Shabbat, it is tantamount to carrying from one domain to another. One who does so is liable to bring a sin-offering. This *halakha* was learned through tradition (Rambam *Sefer Zemanim, Hilkhot Shabbat* 12:8).

ותו: מעביר ארבע אמות ברשות הרבים מנלן דמחייב? אלא: כל ארבע אמות ברשות הרבים, גמרי לה.

אמר רב יהודה אמר שמואל: מקושש, מעביר ארבע אמות ברשות הרבים הוה. במתניתא תנא: תולש הוה. רב אחא ברבי יעקב אמר: מעמר הוה.

למי נפקא מינה? לכדרב; דאמר רב: מצאתי מגילת סתרים בי רבי חייא, וכתוב ביה: איסי בן יהודה אומר: אבות מלאכות ארבעים חסר אחת, (ואם עשאן כולם בהעלם אחת) – ואינו חייב אלא אחת. אחת ותו לא? והתנן: אבות מלאכות ארבעים חסר אחת, והיונן בה: ממינא למא לי? ואמר רבי יוחנן: שאם עשאן כולם בהעלם אחד – חייב על כל אחת ואחת!

אימא: אינו חייב על אחת מהם.

רב יהודה פשיטא ליה דהמעביר חייב, ומתניתין פשיטא ליה דתולש חייב, ורב אחא בר יעקב פשיטא ליה דמעמר חייב. מר סבר: הא מיהת לא מספקא, ומר סבר: הא מיהת לא מספקא.

תנו רבנן: מקושש זה צלפחד, וכן הוא אומר: "ויהיו בני ישראל במדבר וימצאו איש וגו'" ולהלן הוא אומר: "אבינו מת במדבר", מה להלן צלפחד, אף כאן צלפחד, דברי רבי עקיבא.

אמר לו רבי יהודה בן בתירא: עקיבא, בין כך ובין כך אתה עתיד ליתן את הדין. אם בדברך, התורה ביסותו ואתה מגלה אותו! ואם לאו – אתה מוציא לעז על אותו צדיק.

And furthermore, the Gemara asks: Even if the *halakha* of throwing was derived from here, from where do we derive that one who carries an object four cubits in the public domain^{NH} is liable? Rather, apparently, this *halakha* is not derived from the labor performed in the construction of the Tabernacle. Rather, all the *halakhot* related to carrying four cubits in the public domain are learned through tradition and not derived from the text.

Rav Yehuda said that Shmuel said: The wood gatherer^N who was sentenced to death for desecrating Shabbat (see Numbers 15:33–36) was one who carried four cubits in the public domain. He was stoned for performing the prohibited labor of carrying. It was taught in a *baraita*: He was one who detached still-growing branches. He was stoned for performing the prohibited labor of detaching. Rav Aha, son of Rabbi Ya'akov, said: He was one who gathered sticks together into a pile.

The Gemara asks: What is the practical ramification of determining precisely which prohibited labor the wood gatherer performed? The Gemara answers: The ramification is with regard to the statement of Rav, as Rav said: I found a hidden scroll in the house of Rabbi Hiyya. And in it, it is written that Isi ben Yehuda says: The number of primary categories of labor prohibited on Shabbat is forty-less-one. And if one performed all of them in the course of one lapse of awareness, he is liable to bring only one sin-offering. The Gemara asks: One and no more? We learned in a mishna: The number of primary categories of prohibited labors on Shabbat is forty-less-one, which the mishna proceeds to list. And we discussed this mishna: Why do I need this tally of forty-less-one? And Rabbi Yohanan said: The tally was included to teach that if one performed all the prohibited labors in the course of one lapse of awareness, during which he was unaware of the prohibition involved, he is liable for each and every one.

This citation from the hidden scroll cannot be accurate. Rather, emend this statement in the hidden scroll and say that one is not liable for one of them. There is a primary category of labor among the thirty-nine primary categories of prohibited labor whose violation does not incur the death penalty. The identity of this category that is not punishable by death was not specified.

It is obvious to Rav Yehuda that one who carries four cubits in the public domain is liable to receive the death penalty. And it is obvious to the *baraita* that one who detaches is liable to receive the death penalty. And it is obvious to Rav Aha bar Ya'akov that one who gathers is liable to receive the death penalty. In other words, this Master maintains: With regard to this labor, in any case, there is no uncertainty. And this Master maintains: With regard to that labor, in any case, there is no uncertainty. Each Sage maintains that the prohibited labor that he attributed to the wood gatherer incurs the death penalty and is certainly not the labor referred to in the hidden scroll.

On the topic of the wood gatherer, the Gemara cites that which the Sages taught in a *baraita*: The wood gatherer mentioned in the Torah was Zelophehad, and it says: "And the children of Israel were in the desert and they found a man gathering wood on the day of Shabbat" (Numbers 15:32), and below, in the appeal of the daughters of Zelophehad, it is stated: "Our father died in the desert and he was not among the company of them that gathered themselves together against the Lord in the company of Korah, but he died in his own sin, and he had no sons" (Numbers 27:3). Just as below the man in the desert is Zelophehad, so too, here, in the case of the wood gatherer, the unnamed man in the desert is Zelophehad; this is the statement of Rabbi Akiva.

Rabbi Yehuda ben Beteira said to him: Akiva, in either case you will be judged in the future for this teaching. If the truth is in accordance with your statement that the wood gatherer was Zelophehad, the Torah concealed his identity, and you reveal it. And if it the truth is not in accordance with your statement, you are unjustly slandering that righteous man.

ואֶלֶּא, הָא גַּמְר גְּזִירָה שְׁוֵה! גְּזִירָה
שְׁוֵה לֹא גַּמְר. אֶלֶּא מִהֵיכָא הָוָה?
מִיִּנְפִילֵוּ הָוָה.

The Gemara asks: **However, didn't Rabbi Akiva derive this by means of a verbal analogy?** The Gemara answers: Rabbi Yehuda ben Beteira **did not learn a verbal analogy.**ⁿ Rabbi Yehuda ben Beteira had no tradition of this verbal analogy from his teachers, and therefore he disagreed with Rabbi Akiva's conclusion. The Gemara asks: **However, according to Rabbi Yehuda ben Beteira, from where was Zelophehad's liability derived?**ⁿ Why was he executed? The Gemara answers: Zelophehad was among those who **"presumed to ascend to the top of the mountain"** (Numbers 14:44) in the wake of the sin of the spies.

כִּיֻּצֵּא בְּדָבָר אֲתָה אֹמֵר: "וַיַּחַר
אֶף ה' בָּם וַיִּלְךְ" מִלְּמִד שְׁאֵף אֲהֵרֹן
נִצְטָרַע, דְּבָרֵי רַבִּי עֲקִיבָא. אָמַר לוֹ
רַבִּי יְהוּדָה בֶּן בֵּתַיְרָא: עֲקִיבָא, בֵּין כֶּךָ
וּבֵין כֶּךָ אֲתָה עֲתִיד לִיתֵּן אֶת הַדִּין.
אִם כְּדָבָרֶיךָ – הַתּוֹרָה כִּסְתּוֹ וְאֲתָה
מְגַלֶּה אוֹתוֹ! וְאִם לֹא – אֲתָה מוֹצִיא
לְעוֹלָם אוֹתוֹ צָדִיק.

On a similar note, Rabbi Akiva revealed an additional matter not explicitly articulated in the Torah. **You say** that when Aaron and Miriam spoke against Moses, both Aaron and Miriam were struck with leprosy, as it written: **"And God became angry at them and He left,** and the cloud departed from above the tent, and behold, Miriam was leprous like snow. And Aaron turned toward Miriam, and behold, she was leprous" (Numbers 12:9–10). The verse's statement that God became angry at both of them teaches that Aaron, too, became leprous; this is the statement of Rabbi Akiva. Rabbi Yehuda ben Beteira said to him: Akiva, in either case you will be judged in the future for this teaching. If the truth is in accordance with your statement, the Torah concealed Aaron's punishment and you reveal it. And if the truth is not in accordance with your statement, you are unjustly slandering that righteous man.

וְאֶלֶּא הַכְּתִיב 'בָּם'? הֲהוּא בְּגִיפָה
בְּעֵלְמָא. תִּנְיָא כַּמָּאן דְּאָמַר אֶף
אֲהֵרֹן נִצְטָרַע, דְּכִתְבִּי: "וַיִּפֶּן אֲהֵרֹן
אֶל מֹרִים וְהִנֵּה מִצְרַעַת" תִּנְיָא: שְׁפָנָה
מִצְרַעַתוֹ.

The Gemara asks: **However, didn't Rabbi Akiva derive this from the plural pronoun them,** meaning that God was angry with both of them? The Gemara answers: God's anger in that verse was manifest in a mere rebuke, not in leprosy. A *baraita* was taught in accordance with the opinion of Rabbi Akiva, who said that Aaron also became leprous, as it is written: **"And Aaron turned toward Miriam, and behold, she was leprous"** (Numbers 12:10), and it was taught: This teaches that he turned, i.e., he was healed, from his leprosy, as he too had been afflicted.

אָמַר רִישׁ לְקִישׁ: הַחוּשֵׁד בְּכַשְׂרִים
לֹא קָה בְּגוֹפּוֹ, דְּכִתְבִּי: "וְהָיָה לֹא יֵאֱמָנוּ
לִי וְגו'". וְגַלְיָא קָמִי קוּדְשָׁא בְּרִיךְ
הוּא דְּמַהֲיָמֵנִי יִשְׂרָאֵל. אָמַר לוֹ: הֵן
מֵאֱמִינִים בְּנֵי מֵאֱמִינִים, וְאֲתָה אֵין
סוֹפֵךְ לְהֵאֱמִין.

On the topic of Miriam's leprosy, the Gemara cites that which Reish Lakish said: **One who suspects the innocent of indiscretion is afflicted in his body, as it is written:** "And Moses answered and said: **But they will not believe me** and will not hearken to my voice, for they will say, God did not appear to you" (Exodus 4:1), and it is revealed before the Holy One, Blessed be He, that the Jewish people would believe. The Holy One, Blessed be He, said to Moses: **They are believers, the children of believers; and ultimately, you will not believe.**

הֵן מֵאֱמִינִים – דְּכִתְבִּי: "וַיֵּאֱמֶן הָעָם",
בְּנֵי מֵאֱמִינִים: "וְהֵאֱמִין בִּי". אֲתָה
אֵין סוֹפֵךְ לְהֵאֱמִין – שְׁנָאֵמַר: "יַעֲזֹב
לֹא הֵאֱמַנְתָּם בִּי וְגו'". מִמָּאִי דְּלָקָה –
דְּכִתְבִּי: "וַיֹּאמֶר ה' לוֹ עוֹד הֵבֵא נָא
יָדְךָ בְּחִיקְךָ וְגו'".

They are believers, as it is written: "And the people believed once they heard that God had remembered the children of Israel, and that He saw their affliction, and they bowed and they prostrated" (Numbers 4:31). **The children of believers,** as it says with regard to Abraham our Patriarch: **"And he believed in God, and He counted it for him as righteousness"** (Genesis 15:6). Ultimately, you will not believe, as it is stated: "And God said to Moses and to Aaron: **Because you did not believe in Me** to sanctify Me in the eyes of the children of Israel" (Numbers 20:12). **From where** do we know that Moses was afflicted in his body? As it is written: **"And God said to him further: Bring your hand to your bosom, and he brought his hand to his bosom and he took it out and behold, his hand was leprous like snow"** (Exodus 4:6).

NOTES

Did not learn a verbal analogy – גְּזִירָה שְׁוֵה לֹא גַמְר – Rabbeinu Hananel explained this passage differently: Rabbi Akiva did not actually learn this verbal analogy from his teachers. He arrived at it on his own. Since the tradition was not transmitted by previous generations, Rabbi Yehuda ben Beteira did not accept it. This explanation resolves several difficulties raised by other commentaries (see *Tosafot*).

From where was Zelophehad's liability derived – מִהֵיכָא הָוָה – The Gemara understood that the phrase stated by the daughters of Zelophehad, "He died for his own sin," was a reference to a sin mentioned explicitly elsewhere (Maharsha).

From the private domain to the other private domain through the public domain – מְרִשּׁוֹת הַיְחִיד לְרִשּׁוֹת הַיְחִיד וְעוֹבֵר – בְּרִשּׁוֹת הָרָבִים: One who throws an object from a private domain to another private domain via a public domain is liable if the object passes within three handbreadths of the ground and it lands on any surface, even for a moment. This is the Rambam's opinion. He rules in accordance with the opinion of Rava, which maintains that, according to the Rabbis, even if the object is within three handbreadths of the ground, it must land on some surface in order for the one who threw it to be liable. Rabbeinu Hananel and the Ramban rule that if the thrown object passes within three handbreadths of the ground, it is considered to have landed, even if it does not come to rest at all. In their opinion, Rabbi Hilkiya bar Tovi disagrees with Rava, and the *halakha* is in accordance with his opinion. If the object passes between three and ten handbreadths from the ground, the one who threw it is exempt. If the object passes through the public domain in airspace above ten handbreadths from the ground, the one who threw it violates a rabbinic prohibition, unless the two private domains belong to him (Rambam *Sefer Zemanim, Hilkhot Shabbat* 13:16).

NOTES

Throwing above ten handbreadths – רִיקָה לְמַעַל מֵעֶשְׂרֵה: A similar dispute is cited in the Jerusalem Talmud: Is throwing an object equivalent to carrying an object, or is it equivalent to passing, which has its own leniencies and stringencies? In the mishna, the case of the balconies is cited in explanation of the dispute between Rabbi Akiva and the Rabbis. However, since that case is introduced with the phrase: How so, the Jerusalem Talmud comments that, according to some, there is a variant reading that omits that phrase. Some versions of the Babylonian Talmud omit the phrase as well (see Rashba).

אָמַר רַבָּא וְאִיתִימָא רַבִּי יוֹסֵי בְּרַבִּי חֲנִנָּא: מִדָּה טוֹבָה מְמַהֲרָת לְבֹא מִמִּדַּת פּוֹרְעָנוֹת. דְּאִילוּ בְּמִדַּת פּוֹרְעָנוֹת כְּתִיב: "וַיֹּצִיאָהּ וְהִנֵּה יָדוֹ מְצֹרֶעֶת כְּשֶׁלֶג", וְאִילוּ בְּמִדַּת טוֹבָה כְּתִיב: "וַיֹּצִיאָהּ מִחִיקוֹ וְהִנֵּה שָׁבָה כְּבָשָׂרוֹ", מִחִיקוֹ הוּא דְשָׁבָה כְּבָשָׂרוֹ.

וַיִּבְלַע מִטָּה אֶהְרֹן אֶת מִטָּתָם אָמַר רַבִּי אֱלֶעָזָר: נֵס בְּתוֹךְ נֵס.

מְרִשּׁוֹת הַיְחִיד לְרִשּׁוֹת הַיְחִיד כּו'.

בְּעֵי רַבָּה: לְמִטָּה מֵעֶשְׂרֵה פְּלִיגִי, וּבִהְיָ פְּלִיגִי, דְּמָר סָבַר: אָמְרִינָן "קְלוּטָה כְּמָה שֶׁהוֹנַחָה", וּמָר סָבַר: לֹא אָמְרִינָן "קְלוּטָה כְּמָה שֶׁהוֹנַחָה". אָבֵל לְמַעַל מֵעֶשְׂרֵה – דְּבָרֵי הַכֹּל פְּטוּר, וְלֹא יִלְפִינָן זוּרֵק מִמוּשֵׁיט.

אוּ דִּילְמָא: לְמַעַל מֵעֶשְׂרֵה פְּלִיגִי, וּבִהְיָ פְּלִיגִי, דְּמָר סָבַר: יִלְפִינָן זוּרֵק מִמוּשֵׁיט, וּמָר סָבַר: לֹא יִלְפִינָן זוּרֵק מִמוּשֵׁיט. אָבֵל לְמִטָּה מֵעֶשְׂרֵה – דְּבָרֵי הַכֹּל חַיִּיב, מֵאֵי טַעְמָא – קְלוּטָה כְּמָה שֶׁהוֹנַחָה דְּמִיָּא?

אָמַר רַב יוֹסֵף: הָא מִילְתָּא אִיבְעִיא לִיה רַב חֲסִידָא, וּפְשָׁטָה נִיהָלִיָּה רַב הַמְנוּנָא מֵהָא: מְרִשּׁוֹת הַיְחִיד לְרִשּׁוֹת הַיְחִיד וְעוֹבֵר בְּרִשּׁוֹת הָרָבִים עֲצָמָה, רַבִּי עֲקִיבָא מַחֲיִיב, וְחַכְמֵי פוֹטְרִים. מִדְּקָאֻר "בְּרִשּׁוֹת הָרָבִים עֲצָמָה" – פְּשִׁטָּא לְמִטָּה מֵעֶשְׂרֵה פְּלִיגִי.

On this topic, Rava said, and some say that it was Rabbi Yosei, son of Rabbi Hanina, who said: The divine attribute of beneficence takes effect more quickly than the divine attribute of punishment. From where is this derived? While, with regard to the divine attribute of punishment, it is written, "And he took it out and behold, his hand was leprous like snow" (Exodus 4:6), with regard to the divine attribute of beneficence it is written: "And He said: Return your hand to your bosom, and he returned his hand to his bosom and he took it out from his bosom and behold, it had returned to be like his original flesh" (Exodus 4:7). The Gemara analyzes this as follows: It was already from his bosom that it returned to be like his original flesh. Moses' hand was healed even before he took his hand out.

The Gemara proceeds to discuss another miracle that transpired at that time. With regard to the verse, "And each man threw down his staff and they became serpents, and Aaron's staff swallowed their staffs" (Exodus 7:12), Rabbi Elazar said: This was a miracle within a miracle. It was Aaron's staff, not his serpent, that swallowed the other staffs.

We learned in the mishna that there is a dispute between Rabbi Akiva and the Rabbis in a case where one threw an object from the private domain to the other private domain through the public domain¹ between the two. Rabbi Akiva deems him liable, as one who threw an object from the private domain to the public domain, and the Rabbis deem him exempt.

Rabba raised a dilemma with regard to their dispute: Are they disagreeing with regard to a case where the object traveled below ten handbreadths from the ground? And, if so, it is with regard to this point that they disagree: As this Master, Rabbi Akiva holds: We say that an object in airspace is considered at rest. The object is considered as if it was actually placed in the public domain after being lifted from the private domain. And this Master, i.e., the Rabbis, holds: We do not say that an object in airspace is considered at rest. However, with regard to a case where the object traveled above ten handbreadths² from the ground, everyone agrees that one is exempt, and we do not derive the legal status of throwing from the legal status of passing. Although everyone agrees that one who passes an object from a private domain to another private domain via a public domain is liable, even if it was passed above ten handbreadths, as that was the service of the Levites, one who throws an object in that manner is exempt.

Or perhaps, they are disagreeing with regard to a case where the object traveled above ten handbreadths from the ground, and it is with regard to this that they disagree: As this Master, Rabbi Akiva, holds: We derive the legal status of throwing from the legal status of passing. Therefore, one who throws an object that passes through the airspace of a public domain higher than ten handbreadths from the ground is liable. And this Master, i.e., the Rabbis, holds: We do not derive throwing from passing. However, with regard to a case where the object traveled beneath the ten handbreadth airspace of the public domain, everyone agrees that he is liable. What is the reason for that? An object in airspace is considered at rest.

Rav Yosef said: Rav Hisda had a dilemma with regard to this matter, and Rav Hamnuna resolved it for him from this *baraita*: With regard to an object that travels from the private domain to the other private domain, and it passes through the public domain itself, Rabbi Akiva deems one liable and the Rabbis deem one exempt. From the fact that it says in the *baraita*: Through the public domain itself, it is obvious that it is with regard to a case where the object traveled below ten handbreadths from the ground that they disagree.

ובמאי? אילימא במעביר – למטה מעשרה הוא דמחייב, למעלה מעשרה לא מחייב? והאמר רבי אלעזר: המוציא משוי למעלה מעשרה – חייב, שכן משא בני קהת! אלא לאו – בזרק, ולמטה מעשרה הוא דמחייב, למעלה מעשרה לא מחייב. שמע מינה: בקלוטה כמה שהונחה פליגי – שמע מינה.

ופליגא דרבי אלעזר, דאמר רבי אלעזר: מחייב היה רבי עקיבא אפילו למעלה מעשרה. והאי דקתני "רשות הרבים עצמה" – להודיעך כחן דרבנן.

ופליגא דרב חלקיה בר טובי, דאמר רב חלקיה בר טובי: תוך שלשה – דברי הכל חייב, למעלה מעשרה – דברי הכל פטור, משלשה ועד עשרה – באנו למחלוקת רבי עקיבא ורבנן.

תנא נמי הכי: בתוך שלשה – דברי הכל חייב, למעלה מעשרה – אינו אלא משום שבבות, ואם היו רשויות שלו – מותר. משלשה ועד עשרה – רבי עקיבא מחייב וחכמים פוטרין.

אמר רב: אם היו רשויות שלו – מותר. לימא תהוי תיובתיה דרב; דאיתמר: שני בתים בשני צדי רשות הרבים, רבה בר רב הונא אמר רב: אסור לזרוק מזה לזה, ושמאל אמר: מותר לזרוק מזה לזה! ולא מי אוקימנא לההיא כגון דמידלי חד ומתתי חד, דזמנן נפל ואתי לאתויי.

אמר ליה רב חסדא לרב המנונא, ואמרי ליה רב המנונא לרב חסדא: מנא הא מילתא דאמור רבנן "כל פחות משלשה בלבד דמי"? אמר ליה: לפי שאי אפשר לה לרשות הרבים שתילקט במלקט וברהיטני.

And with regard to what form of transfer is the *baraita* dealing? If you say it refers to passing an object in his hand, is it only when he passes it below ten handbreadths that he is liable? When he passes it above ten handbreadths is he not liable? Didn't Rabbi Elazar say: **One who carries out a load from a private domain to a public domain above ten handbreadths from the ground is liable, as that was the manner in which the descendants of Kehat, from whom we derived the laws of carrying, carried their burden in the Tabernacle? Rather, isn't this *baraita* referring to a case of throwing, and it is in a case where the object travels below ten handbreadths from the ground that one is liable, and above ten handbreadths from the ground one is not liable? Learn from it that it is with regard to whether or not an object in airspace is considered at rest that they disagree.** The Gemara summarizes: Indeed, learn from it that this is the crux of their dispute.

And this conclusion disagrees with the opinion of Rabbi Elazar, as Rabbi Elazar said: Rabbi Akiva deems one liable even if the object travels above ten handbreadths. And that term that was taught in the *baraita*, the public domain itself, is to convey to you the far-reaching nature of the opinion of the Rabbis, who deem one exempt even if the object traveled in the public domain itself, and all the more so if it traveled above ten handbreadths, which is no longer within the bounds of the public domain.

This opinion of Rabbi Elazar disagrees with the opinion of Rav Hilkiya bar Tovi, as Rav Hilkiya bar Tovi said: If the thrown object traveled within three handbreadths from the ground, everyone agrees that one is liable because the Sages established the principle of *lavud*. *Lavud* means that any object within three handbreadths of another object is considered to be attached to it. Therefore, an object that traveled within three handbreadths of the ground is considered to have come to a complete rest. If the thrown object traveled above ten handbreadths from the ground, everyone agrees that one is exempt. If the thrown object traveled between three handbreadths and ten handbreadths from the ground, we have come to the dispute between Rabbi Akiva and the Rabbis.

That was also taught in a *baraita*: Within three handbreadths of the ground, everyone agrees that one is liable; above ten handbreadths from the ground, everyone agrees that one is exempt by Torah law, and it is only prohibited due to rabbinic decree. The Sages prohibited throwing or passing an object from the private domain of one person set to the private domain of another person unless a joining of the courtyards is set. And if both of the private domains were his it is permitted. If the thrown object traveled between three handbreadths and ten handbreadths from the ground, Rabbi Akiva deems one liable and the Sages deem him exempt.

The Master said in the *baraita* cited above: And if both of the private domains were his, i.e., they belonged to the same person, it is permitted. Let us say that this is a conclusive refutation of Rav's opinion, as an amoraic dispute was stated with regard to the following case: Concerning two houses on two opposite sides of the public domain,¹⁴ even if they belong to the same person, Rabba bar Rav Huna said that Rav said: It is prohibited to throw an object from this private domain to that private domain. And Shmuel said: It is permitted to throw from this private domain to that private domain. The Gemara rejects this and states: Didn't we already establish that Rav's statement is referring to a case where one of the houses was elevated and one was low? Due to the disparity in height, the concern is that at times the object will fall into the public domain, and one will come to bring it in from there and thereby violate a Torah prohibition.

Rav Hisda said to Rav Hamnuna, and some say that Rav Hamnuna said to Rav Hisda: From where is this matter that the Sages stated: Any objects less than three handbreadths apart are considered to be *lavud*, attached? He said to him: Because it is impossible for the public domain to be made level with planes. Since the space cannot be completely smooth, even the minor differences in the ground level throughout the public domain must be taken into consideration.

Two houses on two opposite sides of the public domain – שני בתים בשני צדי רשות הרבים – On Shabbat, it is permitted to throw an object more than ten handbreadths from the ground (*Magen Avraham*) between two houses that are on either side of a public domain, if they belong to one person, or even if they belong to different people who established a joining of courtyards between them. However, this ruling applies only when the two houses are the same height, or when the object that is thrown is so fragile that if it falls it will break and one will not retrieve it. This stipulation is in accordance with the conclusion of the Gemara here and in tractate *Eiruv* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 15:8; *Shulhan Arukh*, *Orah Hayyim* 353:1).

BACKGROUND

If one lowers the walls – **המשלשל דפנות**: If the space between the bottom edge of the wall and the ground is greater than three handbreadths, the wall is not a valid *sukka* wall.



Sukka with a wall that was constructed from top to bottom

HALAKHA

From the public domain to the public domain and the object passes through the private domain between the two – **מְרֻשָּׁת** – **הַרְבֵּים לְרֻשֹּׁת הָרְבִּים וְרֻשֹּׁת הַיְחִיד בְּאֶמְצַע**: One who throws an object more than ten handbreadths from the ground from one public domain to another via a private domain is exempt, in accordance with the opinion of the Rabbis, which is the majority opinion (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 13:16).

אִי הָכִי – שְׁלֹשָׁה נִמְלִי וְתוֹ: הָא דְתִנּוּ
“הַמְשַׁלְשֵׁל דְּפָנוֹת מִלְּמַעְלָה לְמַטָּה, אִם
הֵן גְּבוּהִין מִן הָאָרֶץ שְׁלֹשָׁה טַפְחִים –
פְּסוּלָה” הָא פָּחוֹת מִשְׁלֹשָׁה – בְּשִׁרָה!

הֵתָם הֵינּוּ טַעֲמָא – מְשׁוּם דְּהוּיָא לָהּ
מְחִיצָה שֶׁהַגָּדִיִּים בּוֹקְעִין בָּהּ. תִּינַח –
לְמַטָּה, לְמַעְלָה – מֵאִי אֵיכָא לְמִימַר?
אֵלָּא: “כָּל פָּחוֹת מִשְׁלֹשָׁה כָּלבוֹד
דְּמִי” – הִלְכְּתָא גְּמִירִי לָהּ.

תְּנוּ רַבָּנִי: מְרֻשָּׁת הָרְבִּים לְרֻשֹּׁת הָרְבִּים
וְרֻשֹּׁת הַיְחִיד בְּאֶמְצַע, רַבִּי מְחִיב
וְחֻכְמִים פּוֹטְרִין. רַב וְשְׁמוּאֵל דְּאָמְרִי
תְּרוּיָהּ: לֹא חֵיב רַבִּי אֵלָּא בְּרֻשֹּׁת
הַיְחִיד מְקוּרָה, דְּאָמְרִין: בֵּיתָא כְּמֹאן
דְּמִלֵּיא דְּמִי. אֲבָל שְׂאִינוּ מְקוּרָה – לֹא.
אָמַר רַב חֲנָנִי אָמַר רַב יְהוּדָה אָמַר
שְׁמוּאֵל: מְחִיב הִיא רַבִּי שְׁתֵּי, אַחַת
מְשׁוּם הוֹצָאָה, וְאַחַת מְשׁוּם הַכְּנָסָה.

He asked him: **If so**, if that is the reason, objects within **three** handbreadths should **also** be considered *lavud*. Why is it that only objects within less than three handbreadths are considered attached? **And furthermore**, an inference can be made from **that which we learned** in the mishna with regard to the *halakhot* of *sukka*: **If one lowers the walls⁸ of a *sukka* from the top to the bottom**, if the bottom of the wall is **above three handbreadths** from the ground, the *sukka* is **invalid** because it is considered to be lacking walls. By inference, if one lowers the walls so that the bottom of the wall is **below three** handbreadths from the ground, it is **valid**. In this case, the rationale that it is impossible for the public domain to be made level does not apply.

He rejects this: **There, the reason** that a space larger than three handbreadths is not considered to be part of the wall is **because it**, i.e., the wall, is a **partition that goats pass through**. Therefore, it is a partition incapable of serving its function. Once a partition is below three handbreadths, it will obstruct the passage of the goats. Furthermore, according to this explanation, **it works out well** when the measure of three handbreadths is **below**, adjacent to the ground. If any more than three handbreadths of space are between the ground and the wall, it is not considered a wall. However, there are several *halakhot* in which *lavud* applies **above** and not near the ground, e.g., when the roofing of the *sukka* is not connected to the walls. **What, then, can be said** to explain that *halakha*? **Rather**, the conclusion is that the *halakha* which states that **anything that is less than three is considered to be *lavud*** is a *halakha* transmitted to Moses from Sinai, **learned through tradition**.

The Sages taught a case in a *baraita* similar to the one discussed in the mishna: One who throws an object **from the public domain to the other public domain** and the object passes through the private domain between the two,¹ Rabbi Yehuda HaNasi deems him **liable** for carrying into the private domain, and the Rabbis deem him **exempt**. With regard to this, Rav and Shmuel both said: **Rabbi Yehuda HaNasi holds him liable only if the private domain between the two public areas is covered with a roof**. In that case, **we say that the house is considered full** and an object that passes through it is considered as if it landed upon an actual object. **However**, if the private domain is **not covered**, he is **not liable** even according to Rabbi Yehuda HaNasi. On this topic, **Rav Hana said** that **Rav Yehuda said** that **Shmuel said**: **Rabbi Yehuda HaNasi would deem him liable to bring two sin-offerings in this case, one for carrying out from the private domain into the second public domain, and one for carrying in**, when the object initially entered the private domain.

יְתִיב רַב חֲנָנִי וְקָא קִשְׁיָא לֵיהּ:

The Gemara relates that **Rav Hana was sitting**, and the following point **was difficult for him**:

Perek XI

Daf 97 Amud b

לְמִימַרָא דְּמְחִיב רַבִּי אֶתְוַלְדָּה בְּמִקּוּם
אָב.

Is that to say that Rabbi Yehuda HaNasi deems one liable for a subcategory of prohibited labor when performed **with a primary category** of prohibited labor? After all, carrying out and carrying in constitute a primary category of prohibited labor and its subcategory.

והתנא, רבי אומר: "דברים" "הדברים" "אלה הדברים" – אלו שלשים ותשע מלאכות שנאמרו למשה בסיני!

אמר ליה רב יוסף: מר אהא מתני לה וקשיא ליה דרבי אדרבי, און אדרבי יהודה מתנינן, ולא קשיא לן.

דתנא: מרשות היחיד לרשות הרבים ועבר ארבע אמות ברשות הרבים, רבי יהודה מחייב וחכמים פוטרין.

אמר רב יהודה אמר שמואל: מחייב היה רבי יהודה שתים, אחת משום הוצאה ואחת משום העברה. דאי סלקא דעתך חדא הוא דמחייב – מכלל דרבנן פטרי לגמרי? הא אפיק לה מרשות היחיד לרשות הרבים! ממאי? דילמא לעולם אימא לך: רבי יהודה חדא הוא דמחייב, ורבנן פטרי לגמרי. והיכי משפחת לה – בגון דאמר "עד דנפקא ליה לרשות הרבים תנוח".

ובהא קמיפלגי, דרבי יהודה סבר: אמרינן "קלוטה כמה שהונחה" – ואיתעבידא ליה מחשבתו, ורבנן סברי: לא אמרינן "קלוטה כמה שהונחה" – ולא איתעבידא ליה מחשבתו, אכל אתולדה במקום אב לא מחייב רבי יהודה.

לא סלקא דעתך, דתנא: רבי יהודה מוסיף אף השובט והמדקדק. אמרו לו: שובט – הרי הוא בכלל מוסך, מדקדק – הרי הוא בכלל אורג. מאי לאו – דעבדינהו לתרווייהו בהדי הדדי, ושמע מינה: מחייב היה רבי יהודה אתולדה במקום אב.

Wasn't it taught in a *baraita* that Rabbi Yehuda HaNasi says that Shabbat is mentioned in the verse: "These are the things [*eleh hadevarim*] that God has commanded to perform them" (Exodus 35:1)? Several points are derived from the superfluous emphases in this verse. The Torah could simply have stated: This is a thing [*davar*]. When it states **things** [*devarim*] in the plural, it teaches at least two points. The addition of the definite article **the** in the term **the things** [*hadevarim*] adds at least a third point. The numerical value of letters of the word *eleh*, which are *alef*, one; *lamed*, thirty; and *heh*, five, is thirty-six. The phrase: **These are the things**, alludes to three plus thirty-six derivation, i.e., the **thirty-nine prohibited labors that were stated to Moses at Sinai**.

Since Rabbi Yehuda HaNasi maintains that there are a fixed number of primary categories of labor, he would certainly hold a person liable for the primary categories but not for the subcategories. **Rav Yosef said to him: The Master taught Rav Yehuda's statement with regard to this, and consequently, he encounters a difficulty.** One statement of Rabbi Yehuda HaNasi contradicts another statement of Rabbi Yehuda HaNasi. **We learn the statement of Rav Yehuda with regard to the opinion of Rabbi Yehuda, and therefore there is no difficulty for us.**

As it was taught in a *baraita*: With regard to one who threw an object from the private domain to the public domain, and it traveled four cubits in the public domain, Rabbi Yehuda deems him liable and the Rabbis deem him exempt.

Rav Yehuda said that Shmuel said: Rabbi Yehuda would deem him liable to bring two sin-offerings in this case, one for carrying out from the private domain into the public domain and one for carrying the object four cubits through the public domain. The Rabbis deem him exempt for carrying four cubits in the public domain. And it must be interpreted that way because if it would enter your mind to say that Rabbi Yehuda deems him liable to bring only one sin-offering, by inference, the Rabbis deem him completely exempt. How is that possible? Didn't he carry an object out from the private domain into the public domain? This proof is rejected: **And from where do you draw that conclusion? Perhaps I could actually say to you that Rabbi Yehuda deems him liable to bring one sin-offering and the Rabbis deem him completely exempt, and how do you find that circumstance?** In a case where he said: My intention is that as soon it, the object, goes out into the public domain it will immediately come to rest.ⁿ

And they disagree with regard to this: Rabbi Yehuda maintains that we say: An object in airspace is considered at rest, and therefore his intention was fulfilled. As soon as the object enters the airspace of the public domain it is considered to have come to rest. And the Rabbis maintain that we do not say: An object in airspace is considered at rest, and therefore his intention was not fulfilled and he is exempt. However, Rabbi Yehuda does not hold one liable for a subcategory of labor performed together with a primary category of labor.

The Gemara rejects this explanation: **It could not enter your mind to say so, as it was taught in a baraita: Rabbi Yehuda adds even lining up the threads of the warp and beatingⁿ the threads of the woof to the list of primary categories of labor.** The Rabbis said to him: Lining up is a subcategory subsumed under the primary category of stretching the threads of the warp within the loom, and beating is subsumed under the primary category of weaving. **Is this not referring to a case where one performed both lining up and beating together, and learn from it that Rabbi Yehuda deems one liable for both a subcategory and a primary category of labor when they are performed together?**

NOTES

As soon it goes out into the public domain it will immediately come to rest – **עד דנפקא ליה לרשות הרבים תנוח**: This does not mean that the person actually intends that the object land as soon as it enters the public domain. If that were the case, and the object continued to roll, one's intention would not have been realized and he would be exempt. Rather, it means that the person states that as long as the object lands in the public domain, he cares not whether it lands immediately upon entering the public domain or anywhere else in that domain (Ritva).

HALAKHA

השובט והמדקדק – Lining up and beating: One is liable for lining up, i.e., straightening, the threads of the warp and for beating the threads and separating them during the weaving process on Shabbat. Lining up is a subcategory of the primary category of stretching the threads of the warp, while beating is a subcategory of the primary category of weaving (Rambam *Sefer Zemanim, Hilkhot Shabbat* 9:18–19).

How many sin-offerings does Rabbi Yehuda deem him liable to bring – כַּמָּה – מַחֲיִיב רַבִּי יְהוּדָה: Rabba and Rabbi Yosef, who maintain that Rabbi Yehuda deems one liable to bring only a single offering, base their opinion on the simple understanding of the following phrase: Deemed him liable. If he were liable to bring more than one offering, Rabbi Yehuda would have said: He is liable to bring two or more sin-offerings. By the same token, the phrase: Deemed him exempt, means totally exempt. In addition, it is less controversial to say that Rabbi Yehuda does not deem one liable for performing a subcategory of prohibited labor together with its primary category of labor. According to Shmuel's opinion, the reason that Rabbi Yehuda deems one liable to bring two sin-offerings is because he maintains that carrying an object from domain to domain and carrying an object four cubits in the public domain are not a primary category and its subcategory. They are two independent primary categories of prohibited labor for whose performance one is liable to bring two sin-offerings. That is how the dispute between the *amora'im* is explained in the Jerusalem Talmud (Rashba).

Throwing an object four or eight cubits – וְרִיקַת אַרְבַּע וְשִׁמּוֹנָה: There are various interpretations of this discussion and particularly its conclusion, which say as follows: Is it in fact similar... As long as it was not thrown four cubits, it cannot be thrown eight. Rashi and *Tosafot*, as well as Rav Hai Gaon, interpret the entire passage as a question whose purpose is to undermine the assumption that one who intended to throw eight cubits, but threw only four cubits, is liable. However, there is another interpretation that the Rambam and the *Me'iri* prefer. At first the Gemara asks: Is the case of throwing similar to the case of one who intended to write the word Shimon and actually wrote the word *shem*, which consists of the first two Hebrew letters of Shimon? The Gemara answers that they are indeed similar. Just as it is impossible to write a long name without first writing a shorter name with the same letters, so too, it is impossible to throw an object eight cubits without it first traveling four cubits. This interpretation supports the initial ruling that one who intended to throw an object eight cubits, but threw it only four cubits, is liable.

מֵמַאי? דִּילְמָא לְעוֹלָם דַּעֲבָדָה לְהָא לְחֻדָּה וְהָא לְחֻדָּה, וְרַבִּי יְהוּדָה אֲתוּלָדָה בְּמִקּוּם אֶב לֹא מַחֲיִיב. וּבִהָא קְמִיפְלָגִי; דְּרַבִּי יְהוּדָה סָבַר: הֵינִי אֲבוֹת נִינְהוּ, וְרַבְּנִי סָבַר: הֵינִי תוֹלְדוֹת נִינְהוּ.

תַּדַּע, דְּקִתְנִי: "רַבִּי יְהוּדָה מוֹסִיף." אִי אֲמַרְתָּ בְּשִׁלְמָא אֲבוֹת, מַאי מוֹסִיף – מוֹסִיף אֲבוֹת. אֲלָא אִי אֲמַרְתָּ תוֹלְדוֹת – מַאי מוֹסִיף? אֵיתִמֵּר נָמִי, רַבָּה וְרַב יוֹסֵף דְּאִמְרֵי תַרְוִיחָה: לֹא חֵיִיב רַבִּי יְהוּדָה אֲלָא אַחַת.

אָמַר לִיה רַבִּינָא לְרַב אֲשִׁי: וְלִמְאִי דְסָלִיק אֲדַעְתִּין מַעֲקָרָא דְּמַחֲיִיב הֵיךְ רַבִּי יְהוּדָה שְׁתֵּי, אִי לְהִכָּא קִבְעִי לָהּ – לְהִכָּא לֹא קִבְעִי לָהּ, אִי לְהִכָּא קִבְעִי לָהּ – לְהִכָּא לֹא קִבְעִי לָהּ! אָמַר לִיה: בְּאוֹמֵר "כָּל מְקוֹם שְׁתַּרְצָה תִּנּוּחַ".

פְּשִׁטָּא: נִתְבָּוִין לְזוּרֹק שְׁמִנָּה וְזוּרֹק אַרְבַּע – הָרִי כְּתַב שֵׁם מְשֻׁמָּעוֹן. נִתְבָּוִין לְזוּרֹק אַרְבַּע וְזוּרֹק שְׁמִנָּה מְהוּזָּה מִי אֲמַרִּין: הָא אִפִּיק לִיה, אוּ דִילְמָא: הִיכָּא דְבִיעִי הָא לֹא נַח? וְלֹא הֵינִי דְאָמַר לִיה רַבִּינָא לְרַב אֲשִׁי, וְאָמַר לִיה: בְּאוֹמֵר "כָּל מְקוֹם שְׁתַּרְצָה תִּנּוּחַ"?

וְדַקְאֲמַרְתָּ "הָרִי כְּתַב שֵׁם מְשֻׁמָּעוֹן" מִי דְמִי? הָתָם כְּמָה דְלֹא כְּתִיב שֵׁם – לֹא מְכַתִּיב לִיה שְׁמִעוֹן, הִכָּא כְּמָה דְלֹא זָרִיק אַרְבַּע לֹא מִיזְדַּקִּי לִיה תִּמְנִי.

תְּנוּ רַבְּנִי: הַזּוּרֹק מִרְשוֹת הָרִבִּים לְרִשּׁוֹת הָרִבִּים וּרְשׁוֹת הַיְחִיד בְּאֶמְצַע, אַרְבַּע אֲמוֹת – חַיִּיב,

The Gemara rejects this proof: **And from where** do you draw that conclusion? Perhaps it is actually referring to a case where **one performed** this action **alone** and this action **alone**, and Rabbi Yehuda does not deem one liable for a subcategory of labor performed together with a **primary category** of labor. And Rabbi Yehuda and the Rabbis disagree with regard to this. Rabbi Yehuda maintains as follows: These actions of lining up and beating are additional **primary categories** of labor, and the Rabbis maintain as follows: These are subcategories.

Know that this is so, as the *baraita* teaches: Rabbi Yehuda adds. The Gemara explains this quote from the *baraita*: **Granted**, if you say that Rabbi Yehuda meant that these are **primary categories** of labor, what is the meaning of: **He adds**? It means he adds **primary categories** of labor. However, if you say that he meant that these are **subcategories**, what is the meaning of: **He adds**? It was also stated that it was Rabba and Rav Yosef who both said: Rabbi Yehuda deemed him liable to bring only one sin-offering.

Ravina said to Rav Ashi: And according to what originally entered our mind that Rabbi Yehuda deemed him liable to bring two sin-offerings,^h how could he be liable for both carrying out from the private domain and for carrying four cubits in the public domain? If one only wanted the object to land here at the beginning of the public domain, he did not want it to land here, four cubits into the public domain. Conversely, if one only wanted the object to land here, four cubits into the public domain, he did not want it to land here, at the beginning of the public domain. Rav Ashi said to Ravina: It is possible in a case where one says: **Any place that it wants to come to rest**, let it come to rest. One indicated that his intention would be fulfilled wherever the thrown object lands.

Concerning throwing an object on Shabbat from one domain to another and within a single domain, the Gemara raises several issues with regard to intention when throwing. It is obvious that one who intended to throw an object eight cubits in a public domain and actually threw it only four cubits^{nh} is liable because that case is similar to a case where one wrote the word *shem*, the first two letters of the name Shimon. In the case of writing *shem*, the individual performed the prohibited labor of writing a two-letter word, even though he did not complete the word that he originally intended to write. The question is as follows: What is the *halakha* if one intended to throw an object four cubits and threw it eight?^h Do we say he did indeed carry the object, or perhaps we say that ultimately the object did not land where he wanted it to land? But is that not precisely what Ravina said to Rav Ashi, as mentioned above? And Rav Ashi said in response that it is referring to a case where one says: **Any place that it wants to come to rest**, let it come to rest. In such a scenario one is liable, because he expressed the fact that he is contented with any labor that will be performed with the object.

Furthermore, the first case, which seems obvious, also requires clarification. And that which you said, that this is similar to a case where one wrote the word *shem*, the first two letters of the name Shimon, is it in fact similar? There, as long as the letters of *shem*, *shin* and *mem*, are not written, the name Shimon cannot be written. Here, where one intended to throw the object eight cubits and he threw it only four, is it true that as long as it was not thrown four cubits it cannot be thrown eight? An object can be thrown eight cubits without first landing after four cubits. The question remains unresolved.

The Sages taught: With regard to one who throws an object on Shabbat from the public domain to the other public domain through the private domain,^h he is liable if he throws an object a total of four cubits in both parts of the public domain.

HALAKHA

One who intended to throw an object eight cubits in a public domain and actually threw it only four – נִתְבָּוִין לְזוּרֹק שְׁמִנָּה וְזוּרֹק אַרְבַּע: If one intended to throw an object eight cubits in a public domain on Shabbat, but it landed after traveling four, he is liable because part of the labor that he intended to perform was performed (Rambam *Sefer Zemanim, Hilkhos Shabbat* 13:21).

One intended to throw an object four cubits and threw it eight – נִתְבָּוִין לְזוּרֹק אַרְבַּע וְזוּרֹק שְׁמִנָּה: If one intends to throw an object four cubits in the public domain and it landed after traveling eight cubits, he is exempt because he did not intend for it to land there. If

he thought, when throwing it, that any place that the object wants to come to rest let it come to rest, he is liable (Rambam *Sefer Zemanim, Hilkhos Shabbat* 13:21).

One who throws an object from the public domain to the public domain through the private domain – הַזּוּרֹק מִרְשׁוֹת הָרִבִּים לְרִשּׁוֹת הָרִבִּים: If one throws an object on Shabbat from one public domain to another public domain via a private domain, he is liable if the object traveled a total of four cubits or more in the two public domains. In that case, the private domain is irrelevant (Rambam *Sefer Zemanim, Hilkhos Shabbat* 13:16).

פחות מארבע אמות – פטור. מאי קא משמע לן? הא קא משמע לן: רשויות מצטרפות, ודלא אמרינן "קלוטה כמה שהונחה".

אמר רב שמואל בר יהודה אמר רב אבא אמר רב הונא אמר רב: המעביר ארבע אמות ברשות הרבים מקורה – פטור, לפי שאינו דומה לדגלי מדבר. איני? והא עגלות במקורות הויין, ואמר רב משום רבי חייה: עגלות, תחתיהן וביניהן וצדיהן – רשות הרבים! כי קאמר רב – בדראתא.

מכדי, אורכא דעגלה כמה הואי – חמש אמות, פותיא דקרח כמה הואי – אמתא ופלגא, כמה מותיב – תלתא, פשא ליה פלגא דאמתא, כי שדי ליה מר ביני וביני – כלבוד דמי! מי סברת קרשים אפותיהו הוה מנח להו? אחוודן מנח להו!

If he throws it **less than four cubits**, he is **exempt**, as he is neither liable for carrying from domain to domain nor for carrying in the public domain. The Gemara asks: **What is he teaching us with this halakha?** The Gemara answers: **He is teaching us the following two things.** First, that **domains join together**; even though one public domain is separated from the other by a private domain, they are treated as one domain. **And second, that we do not say that an object in airspace is considered at rest.** The object is not considered to have landed in a private domain, and therefore the one who threw it is exempt.

Rav Shmuel bar Yehuda said that Rav Abba said that Rav Huna said that Rav said: One who carries an object four cubits in the covered public domain^a is exempt because it is not similar to the flags of the camp of Israel in the desert, which were not covered. The Gemara wonders: **Is that so? Weren't the wagons on which they transported the beams of the Tabernacle covered?** The beams formed a covering over the wagons. **And even so, Rav said in the name of Rabbi Hiyya:** The areas that were **beneath the wagons, and between them, and on their sides** are all considered to have been the public domain. Apparently, even a covered public domain, like the space beneath the wagons, has the legal status of a public domain. The Gemara answers: **When Rav said** that the space beneath the wagons had the legal status of a public domain, he was referring to when the beams were arranged **in stacks**.^{NB} The beams did not cover the entire area of the wagon. There was space between the stacks.

The Gemara asks: **After all, how much was the length of a wagon?** It was **five cubits**. **How much was the width of a beam?** It was a cubit and a half. **How many beams could one place on a wagon?** One could place **three stacks of beams**, totaling four and a half cubits. If so, **half a cubit of open space remained.** **When the Master distributes half a cubit between the stacks of beams it is considered lavud**, attached, as the space between each stack was less than three handbreadths. The Gemara answers: **Do you maintain that they would place the beams on their width?** They would place them on their depth, which was one cubit wide, and therefore there was a greater distance between the rows.

BACKGROUND

סידור הקרשים – קידור הקרשים: Using the number of wagons on which the beams were transported, it is possible to calculate that twelve beams were stacked on each wagon. However, the Torah does not specify exactly how they were stacked.



Arrangement of the beams when placed on their width



Arrangement of the beams when placed on their depth



Arrangement of the beams according to the opinion that they were wide at the base and narrowed into pointed tops. This diagram follows the assumption that the beams were laid on their depth, in three stacks of four beams each.

HALAKHA

The covered public domain – **רשות הרבים מקורה**: The legal status of a covered public domain is not that of public domain, and one is not liable for carrying there on Shabbat. This ruling is in accordance with the opinion of Rav (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 14:1; *Shulhan Arukh*, *Orah Hayyim* 345:7).

NOTES

In stacks [darata] – **בדראתא**: Most early commentaries and the *ge'onim* (see *Tosafot*) had a variant reading that divided this Aramaic word, *darata*, into two, *dara tata*, meaning the bottom row. Although presumably the beams did not remain in neat

stacks but moved, in some places that had no space between the stacks, there was space between the beams of the bottom row. There is no practical difference, though, between the readings.

NOTES

Consisted of the frames – בִּאֲטֵבֵי: There are several interpretations of this passage. In addition to his own interpretation and the interpretation of the *ge'onim*, Rashi cites the understanding of his teachers. *Tosafot* cites an explanation slightly different from that of the *ge'onim*. Some commentaries explain this term to mean rings. The beams were not spaced evenly on the wagons; they were placed two beams back-to-back with their rings facing outward. In that way, there was a sizable distance, greater than three handbreadths, between one pair of beams and the next. The Gemara answers that due to the width of the frame of the wagon, it is considered covered, and the space between the pairs of beams is of no consequence (*Me'iri*).

The wagon itself was covered – עֲגִלָּה גּוֹפָא מְקוּרָה הוּאִי: The following question could be raised: Why doesn't the Gemara say that the area between and alongside the wagons was a public domain before they stacked the beams on the wagon? Rav Hai Gaon answered: Rav indicated that there was something placed atop the wagons by using the term: Beneath them.

BACKGROUND

Frames – אֲטֵבֵי: The frame rests on a wagon in order to prevent large or heavy loads from sliding off. According to Rabbi Kahana, frames like these were on the wagons used for the Tabernacle.



Wagon with its frame

Perek XI

Daf 98 Amud b

סוף סוף, סומכא דקדוש כמה
הוי – אמתא, כמה היה מותב –
ארבעה, פשא לה אמתא, בי שדי
לה מר ביני וביני – בלבד דמי.
הניחא למאן דאמר קרשים מלמטן
עוביין אמה, מלמעלן כלין והולכין
עד באצבע – שפיר; אלא למאן
דאמר בשם שמלמטן עוביין אמה
בך מלמעלה עוביין אמה, מאי איכא
למומר?

אמר רב כהנא: באטבעי. אטבעי
היכא מנח להו – אגבא דעגלה,
עגלה גופא מקורה הוא!

The Gemara asks: Ultimately, how much was the depth of a beam? It was **one cubit**. How many stacks would they place? They would place **four stacks**. **One cubit** of open space remained. When the Master distributes one cubit between the four stacks of beams it is considered *lavud*, as two handbreadths separated each stack. The Gemara adds: This statement of Rav works out well according to the opinion of the one who said that the beams in the Tabernacle were one cubit thick at the bottom, and they narrowed to a fingerbreadth as they reached the top. According to that opinion, there was a space larger than three handbreadths at least between the tops of the beams, and therefore the area beneath that part of the wagon was not covered. However, according to the opinion of the one who said that just as they were one cubit thick at the bottom, so too, the beams were one cubit thick on top, what can be said? In that case, the space between the stacks was less than three handbreadths, and area beneath the wagon had the legal status of a covered public domain.

Rav Kahana said: When we said that the underside of the wagon was considered to be a public domain, the statement was not referring to when the beams were stacked on them. When the wagon was empty and consisted of the frames^{NB} that held the beams in place, beneath the wagon was an uncovered public domain. The Gemara asks: But where would they place the frames? On top of the wagon when the beams were already stacked on it and the wagon itself was already covered^N by the beams, as stated above (*ge'onim*).

אמר שמואל: ביתדות.

Shmuel said: It is referring to the stakes of the Tabernacle. Before the Levites would place the beams on the wagon, they would position the stakes, which were particularly narrow. Therefore, the space between them was greater than three handbreadths, and the area beneath the wagons was therefore considered an uncovered public domain (*ge'onim*).

תנו רבנן: קרשים מלמטן עוביין אמה,
ומלמעלן כלין והולכין עד באצבע.
שנאמר: "יהיו תמים על ראשו",
ולהלן הוא אומר: "תמו נכרתו" דברי
רבי יהודה. רבי נחמיה אומר: בשם
שמלמטן עוביין אמה, בך מלמעלן
עוביין אמה, שנאמר: "יחדיו".

The Sages taught: The Tabernacle beams^N were one cubit thick at the bottom, and they narrowed to a fingerbreadth as they reached the top, as it is stated: "And they shall match at the bottom, and together they will be ended [*tamim*] at the top toward a single ring; so shall it be for them both, they shall form the two corners" (Exodus 26:24). And below, when the children of Israel crossed the Jordan River, it says: "And those who went down toward the Sea of Arava at the Dead Sea came to an end [*tamu*]" (Joshua 3:16). *Tam* means finished or terminated. Here, too, the beams narrowed as they reached the top until they were virtually terminated; this is the statement of Rabbi Yehuda. Rabbi Neḥemya says: Just as they were one cubit thick at the bottom, so too, they were one cubit thick at the top, as it is stated: Together.

NOTES

The shape of the Tabernacle beams – צורת קרשי המשכן: According to the *Me'iri*, the initial assumption was that all of the beams were sloped on both ends. Therefore, it would have been difficult to place an additional beam that would

leave the corners of the Tabernacle evenly closed on all sides. According to the *Me'iri*, the Gemara answers that the beams were sloped like a mountain, i.e., sloped on only one side.

והכתוב 'תמים'! ההוא דליתו שלמן,
ולא ליתו דניסרא. ואידך נמי, הכתיב
'יתדו'! ההוא דלא לישלחופינהו
מהדדי.

בשלמא למאן דאמר: בשם שמלמטן
עובין אמה כך מלמעלן עובין אמה –
היינו דכתיב: "ולירכתי המשכן ימה
תעשה ששה קרשים ושני קרשים
תעשה למקצעת" דאיתי פותיא דהני,
ממלי ליה לסומכא דהני. אלא למאן
דאמר מלמטן עובין אמה, מלמעלן
כלין והולכין עד באצבע – האי עייל
והאי נפיק! דשפי להו כי טורין.

"הברית התיכן בתוך הקרשים". תנא:
בנס היה עומד.

"ואת המשכן תעשה עשר יריעות
ארוך היריעה האחת שמונה ועשרים
באמה" שדי אורביהו לפותיא
דמשכן, כמה הווי עשרין ותמני, דל
עשר לאיגרא – פשא להו תשע להאי
גיסא ותשע להאי גיסא. לרבי יהודה –
מיגליא אמה דאדנים, לרבי נחמיה –
מיגליא אמה דקרשים.

שדי פותייהו לאורכא דמשכן, כמה
הוויא – ארבעין, דל תלתין לאיגרא –
פשא להו עשר, לרבי יהודה מבסאי
אמה דאדנים, לרבי נחמיה מיגליא
אמה דאדנים.

The Gemara asks: **Isn't it written: Tamim?** The Gemara answers: Rabbi Nehemya explains that this word teaches that they should bring whole beams and they should not bring planks and attach them. The Gemara asks: **And according to the other opinion, Rabbi Yehuda's opinion, isn't it written: Together?** The Gemara answers: That comes to teach that they should not be positioned askew from each other; rather, they should be perfectly aligned.

The Gemara asks further: **Granted, according to the one who said: Just as they were one cubit thick at the bottom, so too, they were one cubit thick at the top, it is understandable why it is written:** "And for the back of the Tabernacle westward you shall make six beams. And you shall make two beams for the corners of the Tabernacle in the back" (Exodus 26:22–23).⁸ This means that the width of these beams comes and covers the remaining thickness of those. However, according to the one who said that they were one cubit thick at the bottom and they narrowed to a fingerbreadth as they reached the top, they would not be perfectly aligned, as at the corners this beam goes in and this beam goes out. Part of the beam would protrude out of the Tabernacle. The Gemara answers that it was not only the thickness of the beam that narrowed. **One pared the width of the beams as well so they were sloped like mountains and did not protrude.**

Following the dispute over the Tabernacle beams, the Gemara interprets other verses according to the two positions. It is written: "And the middle bar in the midst of the beams shall pass through from end to end" (Exodus 26:28). One of the Sages taught: **It stood by means of a miracle,**⁹ as this verse indicates that the middle bar was a single rod that ran along the length and width of the Tabernacle. The middle bar was miraculously bent through the beams on three sides.

The Gemara cites a verse with regard to the dispute between Rabbi Yehuda and Rabbi Nehemya: "And you shall make the Tabernacle with ten curtains ... the length of each curtain four cubits; all the curtains shall have the same measurement" (Exodus 26:1–2). **Place their length, i.e., the curtains' length, across the width of the Tabernacle. How much was their length? It was twenty-eight cubits. Subtract ten cubits for the width of the roof of the Tabernacle, and nine cubits remain on this side, and nine on that side.** According to Rabbi Yehuda, who maintains that the beams narrowed to a fingerbreadth, the cubit of the sockets was exposed, as the beams were ten cubits high and the bottom cubit of the beams was placed in the sockets. According to Rabbi Nehemya,⁸ the cubit at the top of the beams must be added to the overall width of the Tabernacle. In addition to the cubit of the sockets, a cubit of the beams themselves was exposed.

Place their width, i.e., the curtains' width, across the length of the Tabernacle. How much was their width? It was forty cubits. Subtract thirty cubits for the length of the Tabernacle's roof and ten cubits remain. According to Rabbi Yehuda, who maintains that the beams narrowed to a fingerbreadth, the curtain hung down the western side of the Tabernacle and the cubit of the sockets was covered. According to Rabbi Nehemya, the cubit of the sockets was exposed.

ירכתי המשכן – ירכתי המשכן: The beams in the back of the Tabernacle – According to Rabbi Nehemya, the beams were of equal width for their entire length. When they were then arranged along the length and width of the Tabernacle, two open spaces were created, one at each corner, where additional beams were inserted.

Even according to Rabbi Yehuda, who says that the beams narrowed, there remained an open space in the corners of the Tabernacle between the length and the width of the structure. It was necessary to insert a specially crafted beam that was slanted on two sides, marked in red, to fill the opening.



Bird's-eye view of the beams in the back of the Tabernacle, according to Rabbi Nehemya. The red lines indicate the places where additional beams were inserted in the corners.



Bird's-eye view of the beams in the back of the Tabernacle, according to Rabbi Yehuda

A beam of the Tabernacle according to Rabbi Nehemya – אחד מקרשי המשכן לשיטת רבי נחמיה: This beam has two rings into which the upper and lower bars were inserted, as well as a hole through the center of the beam through which the middle bar was placed.



One beam from the Tabernacle, according to Rabbi Nehemya

NOTES

It stood by means of a miracle – בנס היה עומד: The middle bar was longer than the other bars. The middle bar was a single bar running through all of the beams, whereas the other bars were each used for only half a wall. As such, the

middle bar was more likely to break, yet it remained in place and stable like the other bars (*Me'iri*). Another interpretation of the phrase: It stood miraculously, is that it floated in air in its hole (*Adderet Eliyahu*).

“וְעָשִׂיתָ יְרִיעֹת עֹזִים לְאַהֲלֹ וְגו’ אֲרֹךְ הַיְרִיעָה הָאֶחָת שְׁלֹשִׁים בָּאַמָּה וְגו’” שְׂדֵי אֲוֵרְכֵיהֶוּ לְפֻתֵיא דְּמִשְׁכָּן כְּמָה הָוִיא – תְּלָתִין. דְּל עֶשֶׂר לְאַיְגָּרָא – פֶּשָׁא לְהוּ עֶשֶׂר לְהָאִי גִיסָא וְעֶשֶׂר לְהָאִי גִיסָא, לְרַבִּי יְהוּדָה מִיבְסִיָּא אַמָּה דְּאַדְנָם, לְרַבִּי נַחֲמִיָּה מִיגְלִיָּא אַמָּה דְּאַדְנָם.

תְּנִיא נְמִי הָכִי: “וְהָאֶמָּה מִזֶּה וְהָאֶמָּה מִזֶּה בְּעֶדְף” – לְכַסּוֹת אַמָּה שֶׁל אֲדָנִים, דְּבָרִי רַבִּי יְהוּדָה. רַבִּי נַחֲמִיָּה אָמַר: לְכַסּוֹת אַמָּה שֶׁל קְרָשִׁים. שְׂדֵי פֻתֵיהֶוּ לְאַוֵּרְכֵיהֶוּ דְּמִשְׁכָּן. כְּמָה הָוִיא – אַרְבָּעִים וָאַרְבַּע, דְּל תְּלָתִין לְאַיְגָּרָא – פֶּשָׁא לְהוּ אַרְבַּע סָרִי, דְּל תְּרֵיתִי לְכַפְלָא. דְּכָתִיב: “וְכִפַּלְתָּ אֶת הַיְרִיעָה הַשְּׂשִׁית אֶל מוֹל פְּנֵי הָאֹהֶל” – פֶּשָׁא לְהוּ תְּרֵיתִי סָרִי.

בְּשִׁלְמָא לְרַבִּי יְהוּדָה – הֵינֵנו דְּכָתִיב: “חֲצִי הַיְרִיעָה הָעֶדְפֶּת תִּסְרַח”, אֶלָּא לְרַבִּי נַחֲמִיָּה מַאי ‘תִּסְרַח’? תִּסְרַח מִחֲבֻרָתֶיהָ. תְּנָא דְּבִי רַבִּי יִשְׁמַעֵאל: לְמָה מִשְׁכָּן דּוֹמֶה – לְאִשָּׁה שֹׂמֵה לְכַת בְּשׂוּק, וְשִׁפּוּלֶיהָ מִהֲלִיכִין אַחֲרֶיהָ.

תְּנִי רַבָּנִן: חֲרוּצִים הָיוּ קְרָשִׁים, וְחִלּוּלִים הָיוּ הָאֲדָנִים.

It is also written: “And you shall make curtains from goat hair for a tent over the Tabernacle; eleven curtains you shall make them. The length of each curtain shall be thirty cubits and the width of each curtain four cubits; each of the eleven curtains should have the same measurement” (Exodus 26:7–8). Place their length across the width of the Tabernacle. How much was their length? It was thirty cubits. Subtract ten for the width of the roof and there will remain ten on this side and ten on that side. According to Rabbi Yehuda, the cubit of the sockets was covered. According to Rabbi Nehemya, the cubit of the sockets was exposed.

That was also taught in a *baraita*. The verse states, “And the cubit on the one side, and the cubit on the other side of what remains of the length of the curtains of the tent shall hang over the sides of the Tabernacle, on this side and on that side to cover it” (Exodus 26:13). What remains of the length of the curtains is to cover the cubit of the sockets; this is the statement of Rabbi Yehuda. Rabbi Nehemya says: It is to cover the cubit of the beams. Place their width across the length of the Tabernacle. How much was their width? It was forty-four cubits. Subtract thirty for the roof, and fourteen remain. Subtract two for the doubling of the sixth curtain, as it is written: “And you shall double the sixth curtain over the front of the tent” (Exodus 26:9), and twelve remain.

Granted, according to the opinion of Rabbi Yehuda, who maintains that the beams narrowed to a fingerbreadth, and therefore the top of the beams did not take up any of the width of the curtains, which enabled the curtain to cover the entire wall of the Tabernacle with part of the curtain on the ground, it is understandable why it is written: “And as for the overhanging part that remained from the curtains of the tent, the half curtain that remained shall hang over the back of the Tabernacle” (Exodus 26:12). However, according to Rabbi Nehemya, who maintains that it is necessary for the width of the curtains to cover the thickness at the top of the beams, what is the meaning of the phrase shall hang? The Gemara answers: It means that it will hang more than the others. In his opinion, this curtain is two cubits longer than the other curtains covering the Tabernacle. With regard to this, the school of Rabbi Yishmael taught: To what is the Tabernacle similar? It is similar to a woman walking in the marketplace with her skirts following after her.

The Sages taught with regard to the construction of the Tabernacle: The bottoms of the beams were grooved and the sockets were hollow, and the grooves were inserted into the sockets to support the beams.

Perek XI
Daf 99 Amud a

NOTES

The clasps in the loops – קְרָסִין בְּלוּלָאוֹת: In this statement, the Sages informed us that the curtains covering the Tabernacle, both the curtains of sky blue wool and the curtains of goats’ hair, were placed in a manner that rendered the clasps in the loops visible from below.

וְנִרְאִין קְרָסִין בְּלוּלָאוֹת כְּכּוֹכָבִים בְּרָקִיעַ.

תְּנִי רַבָּנִן: יְרִיעוֹת הַתַּחְתּוֹנוֹת שֶׁל תְּכֵלֶת וְשֶׁל אֲרָגְמָן וְשֶׁל תוֹלַעַת שָׁנִי וְשֶׁל שֵׁשׁ, וְעֵלְיוֹנוֹת שֶׁל מַעֲשֵׂה עֹזִים, וְגִדּוּלָה חֲכֵמָה שֶׁנֶּאֱמָרָה בְּעֵלְיוֹנוֹת יוֹתֵר מִמָּה שֶׁנֶּאֱמָרָה בַּתַּחְתּוֹנוֹת. דְּאִילוּ בַּתַּחְתּוֹנוֹת כְּתִיב: “וְכָל אִשָּׁה חֲכֵמַת לֵב בְּיָדֶיהָ טוֹו”, וְאִילוּ בְּעֵלְיוֹנוֹת כְּתִיב: “וְכָל הַנָּשִׁים אֲשֶׁר נָשָׂא לִבָּן אֶתְנָה בַּחֲכֵמָה טוֹו אֶת הָעֹזִים”. וְתִנִּיא מִשּׁוּם רַבִּי נַחֲמִיָּה: שְׁטוּף בְּעֹזִים, וְטוּוּי מִן הָעֹזִים.

Additionally, the clasps in the loops,ⁿ which connected the curtains to one another, looked like stars in the sky.

Our Sages taught: The bottom curtains in the Tabernacle were made of sky blue wool, and of purple wool, and of scarlet wool, and of fine linen; and the top curtains were made of goat hair, even though that material is considered to be inferior and common. However, the wisdom that was stated with regard to the top curtains was greater than that which was stated with regard to the bottom ones. This is because, with regard to the bottom curtains, it is written: “And every wise-hearted woman spun with her hands, and they brought that which they had spun, the blue, and the purple, the scarlet, and the linen” (Exodus 35:25); while with regard to the top curtains, it is written: “And all of the women whose hearts inspired them with wisdom spun the goats” (Exodus 35:26). The phrase “whose hearts inspired them” suggests a greater degree of wisdom. Apparently, spinning the goat’s hair curtains required greater skill than spinning the various kinds of wool. And on a similar note, it was taught in a *baraita* in the name of Rabbi Nehemya: The hair was rinsed on the goats, and it was even spun from the goats, which required a great deal of skill.

תָּרָג רְשׁוּת הָרִבִּים – To be considered a public domain on Shabbat, a thoroughfare cannot be less than sixteen cubits wide (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 14:1; *Shulḥan Arukh*, *Orah Ḥayyim* 345:7).

BACKGROUND

עֲגֻלוֹת הַלְוִיִּים – Each wagon, i.e., the frame on which the beams were placed, was two and a half cubits wide, and its wheel mechanism was two and a half cubits wide on either side. According to these measurements, each wagon took up a space of seven and a half cubits in width, and two wagons side by side, according to the opinion that beams were laid across two wagons, were therefore fifteen cubits in width. There was an additional cubit for the Levite who accompanied the wagon.



Two of the Levites' wagons, according to the *ge'onim*

”שְׁתֵּי גִזְזוּטְרָאוֹת כּו’.” אָמַר רַב מִשּׁוּם רַבִּי חִיָּיא: עֲגֻלוֹת, תַּחְתֵּימָהֶן וּבִינֵיהֶן וְצִדֵּיהֶן – רְשׁוּת הָרִבִּים. אָמַר אַבְי: בֵּין עֲגֻלָּה לְעֲגֻלָּה כְּמֵלֵא אֹרֶךְ עֲגֻלָּה וְכֵמָה אֹרֶךְ עֲגֻלָּה – חֲמֵשׁ אַמּוֹת. לָמָּה לִּי בְּאַרְבַּע וּפְלֵגָא סָגִי! כִּי הֵיכִי דְלָא לִידְחֻקֵּי קֳרָשִׁים.

We learned in the mishna with regard to two balconies. Rav said in the name of Rabbi Hiyya: With regard to the wagons^N on which the beams of the Tabernacle were transported, the areas beneath them, and between them, and to their sides are considered to be the public domain. Abaye said: The space between one wagon and the wagon alongside it equaled the full length of a wagon. And how much was the length of a wagon? It was five cubits. The Gemara asks: Why do I need the wagon to be five cubits long? Four and a half cubits would suffice whether the beams were arranged in three stacks, each a cubit and a half wide, or four stacks, each one cubit wide. The Gemara answers: You need the wagon to be five cubits long so that space remains between the beams and they will not be pressed against each other.

אָמַר רַבָּא: צִדֵּי עֲגֻלָּה כְּמֵלֵא רֹחַב עֲגֻלָּה. וְכֵמָה רֹחַב עֲגֻלָּה – שְׁתֵּי אַמּוֹת וּמִחְצָה. לָמָּה לִּי בְּאַמְתָּא וּפְלֵגָא סָגִיא! כִּי הֵיכִי דְלָא לִידְדוּ קֳרָשִׁים.

Rava said: The area on the sides of the wagon between the wagon and the wheel and the thickness of the wheel together equaled the full width of the wagon (*Tosafot*). And how much was the width of the wagon? It was two and a half cubits. The Gemara asks: Why do I need the wagon to be two and a half cubits wide? A cubit and a half would suffice. The Gemara answers: So that the beams would not teeter. Ten-cubit beams on a one-and-a-half-cubit wide surface would be unstable.

אֶלָּא דְקִיָּמָא לָן: תָּרָג רְשׁוּת הָרִבִּים שֶׁשׁ עֶשְׂרֵה אַמָּה, אֲנִי דְגִמְרִין לָהּ מִמִּשְׁכָּן, דְּמִשְׁכָּן חֲמִיסָרִי הוּא! אַמְתָּא יִתְיָרָא הוּא, דְּהָדָה קָאִי בֵּן לִי, דְּכִי מִשְׁתַּלְפִּי קֳרָשִׁים – הָדָה נִקִּיט לָהּ.

The Gemara comments: However, with regard to the principle that we maintain that a thoroughfare in the public domain^H is sixteen cubits wide; we who derive it from the Tabernacle encounter a difficulty: The thoroughfare associated with the Tabernacle was fifteen cubits wide. When two wagons stood side by side, the width of the wagons plus the space between them and the space on their sides totaled fifteen cubits. The Gemara explains: There was an extra cubit where a member of the tribe of Levi stood,^{NB} to ensure that if the beams fell, he would take hold of them and restore them to their stack. Therefore, the total width was no less than sixteen cubits.

מִתְנִי' חוֹלִית הֶבֶר וְהִסְלַע שְׁהֵן גְּבוּהֵין עֶשְׂרֵה וָרַחֲבֵן אַרְבַּעַה, הִנְטִיל מֵהֶן וְהִנְתִּין עַל גִּבָּן – חֲזִיב, פָּחוֹת מִכֵּן – פָּטוּר.

MISHNA With regard to the bank surrounding a pit^N and the boulder that are ten handbreadths high and four handbreadths wide, one who takes an object from them to the public domain and similarly one who places an object from the public domain atop them is liable for carrying from one domain to another. If the height or width of the pit or the boulder is less than that height, ten handbreadths, one is exempt because the legal status of those protrusions is not distinct from that of the surrounding public domain.

NOTES

Balconies and wagons – גִּזְזוּטְרָאוֹת וְעֲגֻלוֹת: According to most of the commentaries, the wagons traveled two abreast, with some beams supported by both wagons. This is not at all similar to the *halakha* of two balconies. In that case liability is incurred only when passing from one balcony to another along the length of the public domain and not across its width. According to Rav Hai Gaon, there is no real difference between the length and width of the public domain. Rather, the *halakha* is derived from the Levites' wagons. Wherever there are two private domains capable of being aligned on a single level, as in the case of the Levites' wagons, the *halakha* prohibiting passing applies. On the other hand, the Rashba states: Since there is no way to join two balconies on either side of a public domain, the *halakha* prohibiting passing does not apply. The *Me'iri* explains that in order to expedite the process of loading the wagons, the Levites passed the beams from one wagon to another that was positioned behind it, similar to the case of balconies on the same side of the public domain.

Where a member of the tribe of Levi stood – דְּהָדָה קָאִי בֵּן לִי: There are different interpretations of this passage. Some *ge'onim* explain that the wagons traveled in pairs, and each

wagon was two and a half cubits wide with only five cubits between them. In that way, the ten-cubit beams would fit on the wagons exactly. To ensure that the wagons would not fill the entire width of the public thoroughfare, the Sages added two and a half cubits on each side of the wagons. Two Levites, each of whom took up half a cubit on either side of the wagons, completed the sixteen cubits. The *Me'iri* explains that when the Gemara says there were five cubits between the wagons, it is referring to the space required due to their configuration; however, an additional cubit was added between the wagons so that a Levite could stand there and restore fallen beams to their stacks if necessary.

The bank surrounding a pit – חוֹלִית הֶבֶר: There is a discussion in the Jerusalem Talmud about how to determine the width of a private domain that consists of a large pit and its bank. Must the width of the pit itself be four handbreadths, in which case the bank surrounding it is four handbreadths as well? Or is it sufficient for the pit bank to be four handbreadths wide? The Jerusalem Talmud made several distinctions related to the relationship between space and mass.

A pit and its bank – בור וחוליתו: A large pit and its surrounding bank made of stone or sand constitute a private domain if together they total ten handbreadths, even if each is individually less than ten handbreadths. It is prohibited to fill a vessel with water from that pit and carry the water into the public domain on Shabbat, as per the opinion of Rabbi Yohanan (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 15:9; *Shulḥan Arukh*, *Orah Ḥayyim* 354:1).

גמ' למה לי למיתני "חולית הבור והסלע" ליתני "הבור והסלע"! מסייע ליה לרבי יוחנן, דאמר רבי יוחנן: בור וחוליתו מצטרפין לעשרה. תניא נמי הכי: בור ברשות הרבים, עמוקה עשרה ורחבה ארבעה – אין ממלאין הימנה בשבת.

GEMARA The Gemara asks: **Why do I need to teach in the mishna about the cases of the bank of a pit and a boulder? Let the mishna simply teach about a pit and a boulder.** One could derive the *halakha* with regard to an object that is ten handbreadths high from the case of the boulder, and the *halakha* with regard to an object that is ten handbreadths deep from the pit. The fact that the mishna taught the case of the bank of a pit **supports** the opinion of **Rabbi Yohanan, as Rabbi Yohanan said: A pit and its bank^h join together to constitute the total ten handbreadths.** If the distance from the bottom of the pit to the top of its bank is ten handbreadths, it is considered a private domain, even though some of the ten handbreadths are above ground and some are below. **That halakha was also taught in the following baraita:** With regard to a pit in the public domain that is ten handbreadths deep and four handbreadths wide, one may not fill water from it on Shabbat because the pit itself is a private domain, and carrying water from the pit to the public domain is prohibited

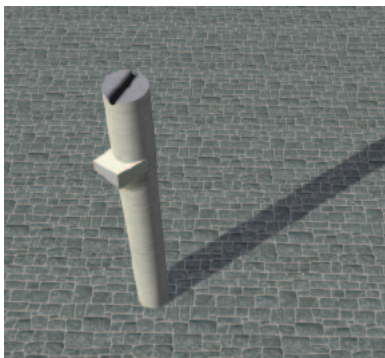
Perek XI
Daf 99 Amud b

NOTES

One threw an object and it landed atop the column – וזרק ונח על גביו: *Tosafot* wondered about Rav Mordekhai's dilemma. Why doesn't the Gemara respond with citations from several sources indicating that the fact that the object goes through an exempt domain does not negate the prohibition of carrying out? Some commentaries explain that this dilemma was raised specifically with regard to a column standing in the public domain. The airspace higher than ten handbreadths from the ground is considered an exempt domain because it is not demarcated with partitions. The dilemma arises if an object passes through an exempt domain and remains there, although it is resting atop a private domain. Is one liable in that case (Ramban)?

BACKGROUND

A protrusion and a groove – מורשא וחריצא: The airspace above a column that is ten handbreadths high is considered to be a private domain, but the space that surrounds the column at the same height is an exempt domain. Rav Mordekhai seeks to prove that it is possible for a small object to come to rest atop a column without first passing through an exempt domain. It is possible for the object to come to rest on a protrusion from the stone which has the status of a private domain even though it is less than ten handbreadths high. Alternately, a needle could pass through a groove atop a column. In those cases, the object does not pass through an exempted area.



Column in the public domain with a groove on its top and a protrusion on its side

אלא אם כן עשו לה מחיצה גבוהה עשרה טפחים, ואין שותין הימנה בשבת אלא אם כן הכניס לה ראשו ורובו. ובור וחוליתו מצטרפין לעשרה.

בעא מיניה רב מרדכי מרבא: עמוד ברשות הרבים גבוה עשרה ורחב ארבעה, וזרק ונח על גביו מהו? מי אמרין: הרי עקירה באיסור, הרי הנחה באיסור או דילמא: כיון דממקום פטור קאתיא – לא?

אמר ליה: מתניתין היא. אתא שיליה לרב יוסף, אמר ליה: מתניתין היא. אתא שיליה לאביו, אמר ליה: מתניתין היא. אמר להו: בולכו ברוקא דהדי תפיתו!

אמרו ליה: ואת לא תסבירא? והתנן: הנוטל מהן ונותן על גבן – חייב! אמר להו: דילמא מתניתין במחט.

מחט נמי, אי אפשר דלא מדליא פורתא! דאית ליה מורשא, אי נמי: דרמיא בחריצה.

unless they constructed a partition around it that is ten handbreadths high. Everything within the partition is then considered a private domain, and one standing within the partition may draw water from the pit. **And similarly, one may only drink water from the pit on Shabbat if he inserts his head and most of his body into the well. And a pit and its bank join together to constitute the total of ten handbreadths, as stated by Rabbi Yohanan.**

Rav Mordekhai raised a dilemma before Rava: In a case where there is a column in the public domain that is ten handbreadths high and four handbreadths wide, and one threw an object and it landed atop the column,ⁿ what is the ruling? The two sides of the dilemma are: **Do we say that the lifting from the public domain was performed in a prohibited manner and the placing in the private domain was performed in a prohibited manner, and therefore one is liable? Or perhaps, we say that since the object comes from an exempt domain, the one who threw the object would not be liable.** Prior to landing on the column, the object traveled through the airspace above the public domain. The airspace of a public domain extends ten handbreadths from the ground. Beyond that point the airspace is an exempt domain.

Rava said to Rav Mordekhai: **It is our mishna** that states that one who places an object atop a boulder that is more than ten handbreadths high is liable. Rav Mordekhai came and asked Rav Yosef about the same dilemma: Rav Yosef said to him: **It is our mishna.** Rav Mordekhai came and asked Abaye. He said to him: **It is our mishna.** Rav Mordekhai said to them: **You are all spewing the same spittle.** None of you taught anything new. You repeat the same unsatisfactory answer.

They said to Rav Mordekhai: And do you not hold this to be correct? Didn't we learn explicitly in the mishna: One who takes an object from them, and one who places an object atop them is liable? He said to them: Perhaps the mishna is referring to a needle that can be placed atop the column without passing through the exempt area above ten handbreadths, since it is so small and hardly takes up any space.

They said to him: With regard to a needle, too, it is still impossible that it will not be raised somewhat above the public domain. He answered them: It is possible that the boulder has a protrusion below ten handbreadths from the ground. Since the protrusion is not significant in and of itself, it has the legal status of a hole in the wall of a private domain. One who throws an object into it is liable, just like one who throws into the private domain itself. **Alternatively, it is possible that the needle is placed in a groove^g that is below ten handbreadths from the ground.** The needle did not enter the groove from above ten handbreadths. It passed directly into the groove, which is a private domain. Therefore, Rav Mordekhai's dilemma is not resolved from the mishna.

A wall in the public domain...and it surrounds a *karmelit* – **כֹּתֵל בְּרִשּׁוֹת הָרִבִּים...וּמוֹקֵף לְכַרְמְלִית**: This question relates specifically to a wall that was already adjacent to a *karmelit*. Even when more walls are added, creating a private domain, no change takes place in the wall itself. Therefore, perhaps that is not sufficient to render the wall part of a private domain.

A prohibition and a partition that came about simultaneously – **מְלֵאכָה וּמְחִיצָה בְּבֵת אֶחָת**: This issue is connected to a wider discussion of simultaneity. Some Sages maintain that in other areas of *halakha*, anything that occurs simultaneously must be considered to have happened consecutively. In this context, since the prohibition is considered to have been violated before the wall was created, there can be no liability.

HALAKHA

The partitions of a private domain – **מְחִיצוֹת רִשּׁוֹת הַיְחִיד**: The legal status of the area atop the walls surrounding a private domain is that of a private domain, even if the walls are not four handbreadths wide. This ruling is in accordance with the opinion of Ulla (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 14:3, 20; *Shulḥan Arukh*, *Orach Hayyim* 345:3).

A domain created with the performance of a prohibited labor – **רִשּׁוֹת הַנוֹצֵרֶת עִם הַמְּלָאכָה**: If an individual removed dirt from the bottom of a pit in a public domain that was nine handbreadths deep, rendering it ten handbreadths deep, and then moved dirt from the pit into the public domain, he is exempt. Similarly, if the pit was ten handbreadths deep and he minimized its depth by placing a rock from the public domain into the pit, he is liable only if the wall of the private domain, i.e., the pit, remained intact throughout the entire act of carrying. That is the ruling of the Rambam because the dilemmas in the Gemara were not resolved, and in cases of uncertainty like these, the ruling is lenient. In addition, Abaye maintains that the partition does not remain intact in this case (*Maggid Mishne*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 14:20).

אָמַר רַב מֵישָׁא, בְּעֵי רַבִּי יוֹחָנָן: כּוֹתֵל בְּרִשּׁוֹת הָרִבִּים גְּבוּהָ עֶשְׂרֵה וְאַיִנוּ רָחֵב אַרְבַּע, וּמוֹקֵף לְכַרְמְלִית, וְעֵשְׂאָו רִשּׁוֹת הַיְחִיד. וְזָרַק וְנָח עַל גְּבִיּוֹ, מִהוּ? מִי אָמְרִינוּ: בֵּינוֹ דְּאִינוּ רָחֵב אַרְבַּע – מְקוֹם פְּטוּר הוּא, אוֹ דִּלְמָא: בֵּינוֹ דְּעֵשְׂאָו רִשּׁוֹת הַיְחִיד – כְּמָאן דְּמִלִּי דְּמֵיָא.

אָמַר עוּלָא: קַל וְחֹמֶר, לְאַחֲרִים עוֹשֶׂה מְחִיצָה – לְעֵצְמוֹ לֹא כָּל שֶׁכֵּן? אֵיתָמַר גַּמִּי, אָמַר רַבִּי חֲיִיא בַר אֲשִׁי אָמַר רַב, וְכֵן אָמַר רַבִּי יִצְחָק אָמַר רַבִּי יוֹחָנָן: כּוֹתֵל בְּרִשּׁוֹת הָרִבִּים גְּבוּהָ עֶשְׂרֵה וְאַיִנוּ רָחֵב אַרְבַּע וּמוֹקֵף לְכַרְמְלִית וְעֵשְׂאָו רִשּׁוֹת הַיְחִיד, הַזֶּרֶק וְנָח עַל גְּבִיּוֹ – חַיִּיב, לְאַחֲרִים עוֹשֶׂה מְחִיצָה – לְעֵצְמוֹ לֹא כָּל שֶׁכֵּן?

בְּעֵי רַבִּי יוֹחָנָן: בּוֹר תִּשְׁעָה, וְעָקַר מִמֶּנּוּ חוּלִיא וְהִשְׁלִימָהּ לְעֶשְׂרֵה, מִהוּ? עֲקִירַת חֶפֶץ וְעִשְׂיִית מְחִיצָה בְּהֵדִי הֵדִי קָאָתוּ – וּמִחַיִּיב, אוֹ לֹא מִחַיִּיב. וְאִם תִּמְצָא לומר: בֵּינוֹ דְּלֹא הָיָה מְחִיצָה עֶשְׂרֵה מַעֲקָרָא – לֹא מִחַיִּיב, בּוֹר עֶשְׂרֵה וְנָתַן לְתוֹכָהּ חוּלִיא וּמִיַּעֲטָהּ, מִהוּ? הִנָּחַת חֶפֶץ וְסִילּוֹק מְחִיצָה בְּהֵדִי הֵדִי קָאָתוּ – מִחַיִּיב, אוֹ לֹא מִחַיִּיב?

תִּפְשׁוּט לִיָּה מְדִידָה, דְּתָנּוּ: הַזֶּרֶק אַרְבַּע אַמּוֹת בְּכוֹתֵל, לְמַעַל מַעֲשֶׂה טַפְחִים – כּוֹזֵרֶק בְּאַוִּיר, לְמַטָּה מַעֲשֶׂה – כּוֹזֵרֶק בְּאַרְץ. וְהַזֶּרֶק בְּאַרְץ אַרְבַּע אַמּוֹת – חַיִּיב, וְהוֹיֵנָּה בָּהּ: וְהָא לֹא נָח!

וְאָמַר רַבִּי יוֹחָנָן: בְּדִבְלָה שְׂמִינָה שְׂמִינָה וְאֵמָי? הָא קָא מְמַעַט מֵאַרְבַּע אַמּוֹת!

Rav Meyasha said that Rabbi Yohanan raised a dilemma: There is a wall in the public domain that is ten handbreadths high and is not quite four handbreadths wide, and it surrounds a *karmelit*^N and renders the area that it encloses the private domain. The wall serves as a partition of this private domain. And if one threw an object from the public domain and it landed atop the wall, what is the ruling? Do we say: Since it is not four handbreadths wide it is an exempt domain, and the one who threw the object is exempt? Or perhaps we say that since it rendered the *karmelit* the private domain, the wall together with the private domain is considered to be filled. Therefore, the object is considered to have landed on an area that is four handbreadths wide, and the one who threw the object is liable.

Ulla said: The fact that it is considered a private domain is derived by means of an *a fortiori* inference: If this wall creates a partition^H that renders other areas surrounded by the wall a private domain, all the more so does it render itself a private domain. It was also stated that Rabbi Hiyya bar Ashi said that Rav said, and so too, Rabbi Yitzhak said that Rabbi Yohanan said: With regard to a wall in the public domain that is ten handbreadths high and is not quite four handbreadths wide, and it surrounds a *karmelit* and renders the area that it surrounds the private domain, if one threw an object from the public domain and it landed atop the wall, he is liable. If this wall creates a partition that renders other areas a private domain, all the more so does it render itself a private domain.

Rabbi Yohanan raised a dilemma: In a case where there is a pit that is nine handbreadths deep, and one dug out a segment of earth from the bottom of the pit and thereby completed the depth of the pit to ten handbreadths,^H and then he proceeded to throw the earth into the public domain, what is the ruling? The two sides to the dilemma are: Is it that the lifting of the object and establishment of the ten-handbreadth partition came about simultaneously,^N and he is liable? Or perhaps he is not liable. And if you say: Since the partition was not ten handbreadths deep initially, he is not liable, then in a case where there is a pit that is ten handbreadths deep, and one placed a segment of earth into the pit and thereby minimized its depth to less than ten handbreadths, nullifying its status as a private domain, what is the ruling? The two sides of the question are: Is it that placement of the object and the elimination of the ten-handbreadth partition came about simultaneously, and he is liable? Or perhaps, he is not liable because the partition was not intact throughout the performance of the action.

The Gemara suggests: Resolve Rabbi Yohanan's dilemma from his own statement, as we learned in a mishna: With regard to one who throws an object four cubits in the public domain and it hits the wall above ten handbreadths from the ground, which is an exempt domain, it is as if he threw it in the air, and he is exempt. If it was below ten handbreadths from the ground, it is as if he threw it and it landed on the ground, and one who throws an object four cubits and it lands on the ground is liable. And we discussed it: How could he be liable for carrying in that case? The object did not come to rest on the wall and there was no placement.

And Rabbi Yohanan said: It is with regard to the case of a juicy cake of figs that sticks to the wall when thrown against it that we learned in the mishna. The Gemara asks: And why is one liable in that case? When the cake of figs sticks to the wall, it reduces the distance the figs traveled from the measure of four cubits that determines liability. If one threw the cake of figs at a distance of exactly four cubits from the wall, and, based on Rabbi Yohanan, the object becomes part of the wall, the distance that the cake of figs traveled is slightly less than four cubits, and therefore he should be exempt. Since Rabbi Yohanan did not take this into account, apparently, in his opinion, when the placement of the object and the elimination of the partition are simultaneous, one is liable.

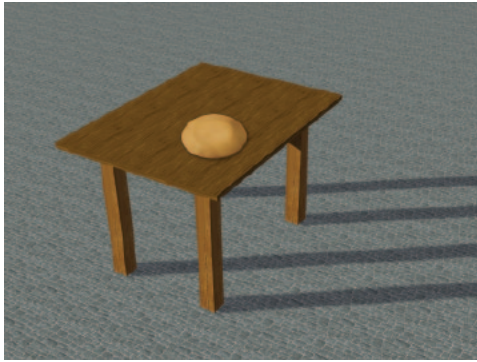
HALAKHA

One threw a board and it landed on top of stakes – זרק דף – זנח על גבי יתדות: One who throws a board that lands on top of stakes in the public domain and thereby creates a private domain is exempt, even if there is an object resting atop the board. The dilemma with regard to this issue also remained unresolved in the Gemara, and the ruling is lenient (Rambam *Sefer Zemanim, Hilkhos Shabbat* 14:21).

Water onto water – מים על גבי מים: One who lifts water that was resting on water, e.g., water from a pit full of water, and carries it into a public domain is liable. However, one who lifts a vessel or fruit from a vessel that is floating on water is exempt because the vessel or fruit was not placed on the ground and he did not lift the fruit from a significant place, i.e., a place that is four by four handbreadths. In addition, even if he lifted a fruit that was floating in the water he is exempt, as per the opinion of Rava (Rambam *Sefer Zemanim, Hilkhos Shabbat* 13:4).

BACKGROUND

A board with an object – דף וחפץ:



Wooden board that fell onto stakes. An object is on top of the board.

התם – לא מבטל ליה, הקא – מבטל ליה.

בעי רבא: זרק דף ונח על גבי יתדות, מהו? מאי קמבעיא ליה – הנחת חפץ ועשיית מחיצה בהדי הדדי קאתו? היינו דרבי יוחנן!

כי קמבעיא ליה לרבא – בגון דזרק דף וחפץ על גביו, מאי? בין דבהדי הדדי קאתו – כהנחת חפץ ועשיית מחיצה דמי, או דילמא: בין דלא אפשר דלא מידלא פורתא והדר גיח – כעשיית מחיצה והנחת חפץ דמי? תיקו.

אמר רבא: פשיטא לי: מים על גבי מים – היינו הנחתו, אגוז על גבי מים –

The Gemara rejects this and says: The cases are not similar because **there**, in the case of the cake of figs, the one who threw it **does not nullify its** independent existence vis-à-vis the wall, as the food will eventually be removed from the wall. **Here**, in the case of the dirt in the pit, **one nullifies its** independent existence vis-à-vis the pit, and it eliminates the ten-handbreadth partition.

Rava raised a similar dilemma: In a case where one **threw a board and it landed on top of stakes^h** that are ten handbreadths high but not four handbreadths wide, **what** is the ruling? Once the board lands, the surface is ten handbreadths high and four handbreadths wide. The Gemara asks: **What is his dilemma?** Does his dilemma pertain to the ruling in a case where **the placement of the object and the establishment of the partition came about simultaneously?** That is precisely the dilemma raised by Rabbi Yohanan.

The Gemara answers: The case where Rava raised a dilemma is more complex. His dilemma is with regard to a case **where one threw a board and there was an object resting atop the board.^B** In that case, **what** is the ruling? The two sides of the dilemma are: **Since** the board and the object **come simultaneously**, the legal status is **similar** to a case where **the placement of the object and the establishment of the partition** came about simultaneously. The object and the board are a single unit that creates a partition when it lands, and therefore one is exempt. **Or perhaps** we say that **since it is impossible**, when they land, for the object **not to rise slightly and then land** because the object and the board are not connected, **it is like** the case where **the establishment of the partition** was completed **and the placement of the object** followed, and therefore one is liable. These dilemmas remain, and therefore **let it stand** unresolved.

Rava raised an issue related to the previous dilemmas, and before doing so he sought to clarify certain points. **Rava said: It is obvious to me** that if one poured **water onto water^h** that is its **placement**, and if one did so from one domain to another he is liable. If one placed **a nut onto water**,

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HALAKHA

A nut in a vessel and the vessel is floating on water – אגוז: בבבלי וכלי צף על גבי מים: One who lifts a nut from a vessel that is floating on water and carries it into another domain is exempt because the vessel or the fruit was not placed on the ground. The *halakha* pertaining to this case remains an unresolved dilemma in the Gemara, and the ruling is lenient (Rambam *Sefer Zemanim, Hilkhos Shabbat* 13:4).

לאו היינו הנחתו. בעי רבא: אגוז בבבלי וכלי צף על גבי מים, מהו? מי אמרינן: בתר אגוז אולינן – והא גיח או דילמא: בתר כלי אולינן, והא לא גיח? תיקו.

שמן על גבי יין – מחלוקת רבי יוחנן בן נורי ורבנן. דתנן: שמן שצף על גבי יין, ונגע טבול יום בשמן – לא פסל אלא שמן. רבי יוחנן בן נורי אומר: שניהם חיבור זה לזה.

it is **not** considered its **placement**. However, Rava raised a dilemma: In a case where there is a **nut in a vessel and the vessel is floating on water,^h** **what** is the ruling? Is it permitted to lift the nut on Shabbat if one is in another domain? The two sides of the dilemma are: **Do we say that we go according to the status of the nut, and it is at rest** in the vessel? **Or perhaps we go according to the status of the vessel, and it is not at rest**. No resolution was found to this dilemma. Therefore, **let it stand** unresolved as well.

However, with regard to **oil floating on wine**, there is a **dispute between Rabbi Yohanan ben Nuri and the Rabbis**. As we learned in a mishna: In the case of **oil floating on wine**, and one **who immersed himself during the day**, i.e., one who was impure, immersed himself in a ritual bath, but will not become completely pure until sunset, **touched the oil, he invalidated only the oil** and not the wine. **Rabbi Yohanan ben Nuri says:** With regard to **the two**, i.e., the oil and the wine, they are considered to have a **connection to each other**. Since he made the oil impure, the wine is also impure. Their dispute is whether or not the oil is considered to be placed atop the wine.

A pit that was divided – בור שחלקו – If one throws a mat from a public domain into a pit that is ten handbreadths deep and exactly eight handbreadths wide, and the mat splits the pit into two equal halves, he is exempt. When the mat lands, it negates the pit's status as a private domain (Rambam *Sefer Zemanim, Hilkhot Shabbat* 14:22).

A pit...filled with water...filled with fruit – בור...מלא מים...פירות – If one threw an object into a pit filled with water that has the dimensions of a private domain, and the object landed on the water, he is liable because the water does not nullify the partitions of the pit and negate its status. If the pit was full of fruit he is exempt because the fruit nullifies the partitions of the pit and minimizes its size (Rambam *Sefer Zemanim, Hilkhot Shabbat* 14:23).

Above ten handbreadths – למעלה מעשרה טפחים – The public domain extends up to ten handbreadths. The air-space higher than that is an exempt domain (Rambam *Sefer Zemanim, Hilkhot Shabbat* 14:18; *Shulhan Arukh, Oraḥ Hayyim* 345:12).

Throwing an object at a wall – יריקה בכותל – One who throws an object at a wall in the public domain and it lands above ten handbreadths is exempt, even if the object remains stuck to the wall. This ruling is in accordance with the opinion of Rabbi Yohanan (Rambam *Sefer Zemanim, Hilkhot Shabbat* 14:18).

Carving out space to complete – חקיקה להשלים – If one who throws an object and it lands in a hole in a wall in the public domain, his liability depends on the size of the hole. If the hole is too small to be considered a domain in and of itself, i.e., if it is less than four handbreadths wide or ten handbreadths high, it is an exempt domain. The opinion that one carves out a virtual space to expand the hole's size is rejected, in accordance with the opinion of the Rabbis (Rambam *Sefer Zemanim, Hilkhot Shabbat* 14:10; *Shulhan Arukh, Oraḥ Hayyim* 345:10).

אמר אביי: בור ברשות הרבים עמוקה עשרה ורחבה שמונה, וזרק לתוכה מחצלת – חייב, חילקה במחצלת – פטור. לאביי דפשיטא ליה דמחצלת מבטלא מחיצה – כל שכן חוליא דמבטלא מחיצה, לרבי יוחנן דמביעא ליה חוליא – מחצלת פשיטא דלא מבטלא מחיצתא.

Abaye said: In the case of a pit in the public domain that is ten handbreadths deep and precisely eight handbreadths wide, and one threw a mat into it, he is liable. However, if he divided the pit^H with a mat that split it in two, each one slightly less than four handbreadths wide, he is exempt because neither part is considered a private domain. The Gemara comments: According to the opinion of Abaye, for whom it is obvious that the mat eliminates the partition of the pit, all the more so that a segment of dirt thrown into a pit that is ten handbreadths deep, rendering it less than ten handbreadths, eliminates the partition, and he has no dilemma with regard to Rabbi Yohanan's case. According to Rabbi Yohanan, who raised a dilemma with regard to a segment of dirt, it is obvious that a mat does not eliminate the partition.

Abaye said: With regard to a pit in the public domain that is ten handbreadths deep and four handbreadths wide and filled with water, and one threw an object into it on Shabbat, one is liable because the pit is considered a private domain. And if the pit was filled with fruit^H and one threw an object into it,^N he is exempt. What is the reason for the different rulings? Water is not significant enough to eliminate the partition; fruit eliminates the partition. This was also taught in a *baraita*: One who throws an object from the sea to the street or from the street to the sea is exempt because the sea is considered a *karmelit*, and one is not liable according to Torah law in that case. Rabbi Shimon says: If the area in the sea where he threw it is ten handbreadths deep and four handbreadths wide, he is liable, as he is considered as one who threw an object into a private domain. Apparently, the water in the sea does not eliminate the status of a private domain.

MISHNA With regard to one who throws an object four cubits in the public domain, if the object hits the wall above ten handbreadths^H from the ground, which is an exempt domain, it is as if one threw it in the air, and he is exempt. If it hits the wall below ten handbreadths from the ground, it is as if he threw it and it landed on the ground, and one who throws an object four cubits and it lands on the ground is liable.

GEMARA We learned in the mishna that if one throws an object in the public domain a distance of four cubits and it hits a wall^H above ten handbreadths from the ground, he is liable if he threw it. The Gemara asks: And we discussed it: How could he be liable for carrying in that case? Since the object did not come to rest on the wall, there was no placement. And Rabbi Yohanan said: It is with regard to the case of a juicy cake of figs that sticks to the wall when thrown against it that we learned in the mishna.

Rav Yehuda said that Rav said that Rabbi Hiyya said: If one threw a stone at a wall above ten handbreadths from the ground, and it went and came to rest in a hole in the wall of any size less than four cubits, we have come to the dispute between Rabbi Meir and the Rabbis. According to the opinion of Rabbi Meir, who said: One carves out the space to complete it,^H he is liable. We complete the hole by conceptually carving it to four handbreadths because doing so is theoretically possible. Since the hole is considered ten handbreadths high and four handbreadths wide, one is liable for transferring an object from a public domain to a private one. According to the opinion of the Rabbis, who say: One does not carve out the space to complete it, the thrower is not liable because the hole is actually less than four handbreadths wide at present. That was also taught in a *baraita*: If one threw an object above ten handbreadths, and it went and came to rest in a small hole, Rabbi Meir deems him liable, while the Rabbis deem him exempt.

NOTES

If the pit was filled with fruit and one threw an object into it – מלאה פירות וזרק לתוכה: The early commentaries discussed this matter (see *Tosafot*) and raised objections from other sources that indicate that fruit in a pit is not voided and does not become secondary to the pit. Nevertheless, they concluded that one who throws fruit into a pit is certainly liable because he does not void the fruit. Rav Hai Gaon explained that the Gemara is referring to a case where one nullifies the fruit by abandoning

it in the pit. According to *Tosafot*, it is referring to untithed fruit, which may not be moved on Shabbat and is therefore nullified for that day. The Rashba explains that even though the fruit is not nullified in the pit, it nevertheless nullifies the partitions in the pit because partitions must be apparent in order for one to be liable for carrying out. When the pit is filled with water, its partitions are still apparent; when the pit is filled with fruit, they are not.

A mound that is an inclined plane that gradually attains a height of ten handbreadths over a horizontal space of four cubits – תל המתלקט עשרה מתוך ארבע – A mound of dirt that is an inclined plane that attains a height of ten handbreadths over a horizontal space of four cubits is considered a private domain. Therefore, one who throws an object from the public domain onto it is liable (Rambam *Sefer Zemanim, Hilkhos Shabbat* 14:16).

An alleyway...and becomes an inclined or declined plane – מְבוּי...וְנִעְשָׂה מְדָרוֹן: If an alleyway is sloped at the end, either inclining or declining to connect to the public domain, and the disparity between the height of the alleyway and that of the public domain is ten handbreadths over the horizontal space of four cubits (Ra'avad), it is considered a partition between the two domains, and nothing more needs to be done to allow carrying in the alley (Rambam *Sefer Zemanim, Hilkhos Shabbat* 17:4; *Shulhan Arukh, Oraḥ Ḥayyim* 363:36).

If one threw an object within four cubits and the object rolled beyond four cubits – וְזָרַק לְתוֹךְ אַרְבַּע אֲמוֹת וְנִתְגַּלְגַּל חוּץ: If one throws an object into the public domain within four cubits and then it rolls beyond four cubits, he is exempt. One who throws an object beyond four cubits and then it rolls back within four cubits is liable if the object landed first; he is exempt if the object did not land and the wind blew it back. This ruling is in accordance with Rabbi Yohanan's interpretation of the mishna (Rambam *Sefer Zemanim, Hilkhos Shabbat* 13:22).

NOTES

An alleyway...and becomes an inclined or declined plane – מְבוּי...וְנִעְשָׂה מְדָרוֹן: An alleyway that is open on one side is a private domain by Torah law. Nevertheless, the Sages issued a decree that one may carry in that area only if there is a conspicuous symbolic partition between the alleyway and the public domain. This may be achieved by placing a post alongside the entrance to the alleyway or a beam across the entrance. However, when the end of the alleyway is an inclined plane, the plane itself serves as a partition, and there is no need for any additional partition.

The wind seized it – אֶחָזְתוּ הָרוּחַ: Rashi interprets this to mean that the object was swept by the wind while still in the air and held there, which is tantamount to placement on a significant area. Rashi was forced to interpret the Gemara in this way because it is dependent on the halakhic ruling throughout this passage. It is still necessary to decide whether, according to the Rabbis, an object that passes within three handbreadths of the ground requires placement on a significant area, or whether the object already considered placed (see *Me'iri*).

אָמַר רַב יְהוּדָה אָמַר רַב: תֵּל הַמִּתְלַקֵּט עֶשְׂרֵה מֵתוֹךְ אַרְבַּע, וְזָרַק וְנָח עַל גִּבּוֹ – חַיִּיב. תֵּנִיא נְמִי הָכִי: מְבוּי שְׂשׂוּה לְתוֹכּוֹ וְנִעְשָׂה מְדָרוֹן לְרִשּׁוֹת הָרָבִים אוֹ שׂוּה לְרִשּׁוֹת הָרָבִים וְנִעְשָׂה מְדָרוֹן לְתוֹכּוֹ – אוֹתוֹ מְבוּי אֵינוֹ צָרִיךְ לֹא לָחִי וְלֹא קוֹרָה. רַבִּי חֲנִינָא בֶּן גַּמְלִיאֵל אוֹמֵר: תֵּל הַמִּתְלַקֵּט עֶשְׂרֵה מֵתוֹךְ אַרְבַּע, וְזָרַק וְנָח עַל גִּבּוֹ – חַיִּיב.

מתני' וְזָרַק לְתוֹךְ אַרְבַּע אֲמוֹת וְנִתְגַּלְגַּל חוּץ לְאַרְבַּע אֲמוֹת – פָּטוּר, חוּץ לְאַרְבַּע אֲמוֹת וְנִתְגַּלְגַּל לְתוֹךְ אַרְבַּע אֲמוֹת – חַיִּיב.

גַּמ' וְהָא לֹא נָתַ! אָמַר רַבִּי יוֹחָנָן: וְהוּא שָׁנָח עַל גִּבּוֹ מִשְׁהוּ. תֵּנִיא נְמִי הָכִי: וְזָרַק חוּץ לְאַרְבַּע אֲמוֹת וְדָחַפְתּוּ הָרוּחַ וְהִכְנִיסְתּוּ, וְאֵף עַל פִּי שְׂחֻזָּה וְהוֹצִיאוּ – פָּטוּר. אֶחָזְתוּ הָרוּחַ מִשְׁהוּ, אֵף עַל פִּי שְׂחֻזָּה וְהִכְנִיסְתּוּ – חַיִּיב.

אָמַר רַבָּא: תוֹךְ שְׁלֹשָׁה לְרִבְנָן – צָרִיךְ הַנָּחָה עַל גִּבּוֹ מִשְׁהוּ. יִתִּיב מְרִימָר וְקָאָמַר לָהּ לְהָא שְׂמַעְתָּ. אָמַר לִיהּ רַבִּינָא לְמְרִימָר:

Rav Yehuda said that Rav said: In the case of a mound that is an inclined plane that gradually attains a height of ten handbreadths over a horizontal space of four cubits,¹ and one threw an object from the public domain and it came to rest atop that mound, he is liable because it is considered a partition. That was also taught in a *baraita*: An alleyway that is level inside and becomes an inclined or declined plane² as it enters the public domain, which is higher or lower than the alleyway, or if the entrance to the alleyway is level when entering the public domain and inside it is inclined, that alleyway requires neither a post alongside its entrance or a beam across its entrance in order to distinguish it from the public domain because the incline itself is considered a partition. Rabbi Hanina ben Gamliel says: In the case of a mound that gradually attains a height of ten handbreadths over a horizontal space of four cubits, and one threw an object from the public domain and it came to rest atop that mound, he is liable.

MISHNA If one threw an object in the public domain, intending for it to land within four cubits, meaning that he had no intention of violating the Torah prohibition of carrying, and the object rolled and went beyond four cubits,³ he is exempt. However, if one threw an object with the intention of it landing beyond four cubits, and the object rolled back within four cubits, he is liable from when he originally threw the object.

GEMARA We learned in the mishna that if one threw an object beyond four cubits and it rolled back within four cubits, he is liable. The Gemara asks: The object did not come to rest beyond four cubits, so how can the one who threw it be liable? Rabbi Yohanan said: And that liability was established when the object came to rest atop something. That was also taught in a *baraita*: If one threw an object beyond four cubits and the wind blew it while still in the air and brought it within four cubits, he is exempt even though it, i.e., the wind, then brought it back out because the object did not come to rest in the place where it was thrown. However, if the wind seized it⁴ briefly and it stayed on the ground for a brief period of time (*Tosafot*), even though the wind then brought it in, the individual is liable.

Rava said: Despite the principle of *lavud*, which states that within three handbreadths of the ground an object is considered to be attached to it, according to the Rabbis, who maintain that an object in airspace is not considered at rest, the object must come to rest atop something to establish liability. The Gemara relates that Mareimar sat and stated this *halakha*. Ravina said to Mareimar:

Isn't that what we learned in the mishna, with regard to which Rabbi Yohanan said: That liability is when it came to rest atop something, which means that the object must actually land in order for the one who threw it to be liable. Mareimar said to Ravina: Are you saying it is a case of rolling? One cannot cite proof from a rolling object because a rolling object will not ultimately come to rest. However, with regard to this object, which passed within three handbreadths of the ground, I would say: Since it will ultimately come to rest, even though it has not yet come to rest, it is considered as an object that came to rest. Therefore, Rava teaches us that even in that case one is not liable until it actually comes to rest upon something.

לֹא הֵינּוּ מִתְנִיתִין, וְאָמַר רַבִּי יוֹחָנָן: וְהוּא שָׁנָח עַל גִּבּוֹ מִשְׁהוּ אָמַר לִיהּ: מִתְגַּלְגֵּל קָאָמַרְתָּ? מִתְגַּלְגֵּל – אֵין סוּפוֹ לְנוֹחַ, אֲבָל הָאֵי – כִּיּוֹן דְּסוּפוֹ לְנוֹחַ, אֵף עַל גִּבּוֹ דְּלֹא נָח כְּמָאן דְּנָח דְּמִי, קָא מְשַׁמֵּעַ לָן.

הוֹרֵק בַּיָּם – אֶרְבַּע אַמּוֹת: The legal status of both a sea and a river (*Mishna Berura*) is that of a *karmelit*. One who throws an object four cubits into them on Shabbat is exempt, although it is prohibited to do so (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 14:4; *Shulhan Arukh*, *Orah Hayyim* 345:14).

A swamp and the public domain passes through it – רִקְק מִיִּם וְרִשּׁוֹת הָרִבִּים מְהֻלָּכֶת בּוֹ: Water in the public domain that is less than ten handbreadths deep, even if it is four cubits wide, is part of the public domain, if most people walk through it. This ruling is in accordance with the opinion of Abaye. One who throws an object four cubits in this kind of body of water is liable (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 14:24).

סִפִּינּוֹת הַקְּשׁוּרוֹת זוֹ בְּזוֹ: One may only carry an object from one boat to an adjacent boat if they are tied together or if the upper edge of the boats are ten handbreadths above the water. If the boats belong to two different people, one may not carry between them, even if the sides are ten handbreadths above the water, unless a joining of courtyards has been established (Rambam *Sefer Zemanim*, *Hilkhot Eiruvim* 3:25).

עוֹשֶׂה מְקוֹם – אֶרְבַּעַת: In the case of one who is on a boat on Shabbat and wants to draw water from the sea, if the sides of the boat are less than ten handbreadths above the water, he must create an area of four by four handbreadths and carve a hole in it through which he may draw the water. If the sides of the boat are more than ten handbreadths above the water, he extends a protrusion with a hole in it through which he draws the water. The *Mishna Berura* writes that later authorities agree that one can draw water even without a protrusion because the protrusion serves merely as a reminder, as per the opinion of Rav Hisda (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 15:20; *Shulhan Arukh*, *Orah Hayyim* 355:1).

NOTES

רִקְק רִקְק תִּרִי וְיָמַע: The explanation in the Jerusalem Talmud is slightly different. The mishna repeats the *halakha* to teach that one is obligated both in a case of passage not under duress and in a case of passage under duress.

מוֹצִיאִין הֵימֶנָה זֶו: Some commentaries ask: Since there is no prohibition violated in drawing water from the sea into a boat according to Rav Huna, why is it necessary to extend a projection? Some explain that since we learned in the mishna: From the sea onto a boat... is exempt, and the word exempt is used but the word permitted is not, an additional step is necessary to render the action permitted (Rashba).

עוֹשֶׂה מְקוֹם אֶרְבַּעַת: The early commentaries on the Talmud discussed this *halakha* and expressed several opinions on the matter. According to the Rambam, there is no need for partitions. It is sufficient to extend a beam that is four by four handbreadths with a hole carved in it. Rashi requires that the beam must have small partitions. This opinion is shared by the *ge'onim* based on the opinions of most of the *amora'im* in the Jerusalem Talmud. Some explain that this requires a beam that is four by four cubits with a hole in it that is four by four handbreadths (Rabbeinu Tam cited in the Rashba). Some commentaries even assert that the legal status of the area in the boat from which water is drawn to the boat is like that of a partition hanging from a balcony. The partitions surrounding that area must be ten handbreadths high (*Me'iri*).

MISHNA One who throws an object four cubits into the sea^h is exempt. If there was a swamp and the public domain passes through it,^h one who throws an object four cubits into it is liable like one who carried four cubits in the public domain. And how deep is this swamp? It is less than ten handbreadths deep. In the case of a swamp that the public domain passes through, one who throws an object four cubits into the swamp is liable.

GEMARA One of the Sages said to Rava: Granted, passing passing is mentioned twice in the mishna; this teaches us that passage under duress is considered passage, but usage under duress is not considered usage. But why do I need it to mention swamp swamp twice?ⁿ Rava answered him: One case is referring to the summer, and one case is referring to the winter. And both cases are necessary, as had the mishna taught only one mention of swamp, I would have said that these matters, i.e., cases indicating that passage under duress is considered passage, apply only in the summer because people commonly pass through the swamp to cool themselves; however, in the winter I would have thought that it would not be so. And had the mishna taught us only the case of winter, I would have said that since they are filthy from mud anyway, they do not mind walking through the swamp, but in the summer it would not be so.

Abaye said: It is possible to explain this other way. It was necessary for the mishna to state swamp twice because it would have entered your mind to say that these matters apply specifically where the swamp is not four cubits wide because then people walk through the swamp and do not circumvent it, but where the swamp is four cubits wide, people circumvent it. Therefore, it was necessary to teach that people walk through swamps that are both narrow and wide.

Rav Ashi said another explanation: It was necessary for the mishna to state swamp twice because it would have entered your mind to say that these matters apply specifically where the swamp is at least four handbreadths wide, but where the swamp is not four handbreadths wide, people step over it and do not walk through it. The Gemara comments: And Rav Ashi follows his own reasoning, as Rav Ashi said: One who threw an object and it came to rest on one of the beams of a bridge is liable. Even though the width of each beam is less than four handbreadths, it joins together with the other beams to form a single surface of the public domain because even though many people step over the beams, still many people step on it.

MISHNA One who throws an object from the sea to dry land, or from dry land to the sea, or from the sea onto a boat, or from a boat into the sea, or from one boat to another is exempt because the sea has the legal status of a *karmelit*. If boats are tied together,^h one may carry an object from one to the other on Shabbat. However, if they are not tied, even though they are adjacent, one may not carry from one to the other.

GEMARA It was stated that the Sages disagreed with regard to the manner in which one may draw seawater onto a boat on Shabbat. Rav Huna said: One extends a projectionⁿ of any size from the side of the boat as a distinctive sign, and fills a receptacle with water from the sea. Rav Hisda and Rabba bar Rav Huna say: One creates an area, a frame of four by four handbreadths,^{hn} and fills the water from inside it.

מתני' הוֹרֵק בַּיָּם אֶרְבַּע אַמּוֹת – פָּטוּר. אִם הָיָה רִקְק מִיִּם וְרִשּׁוֹת הָרִבִּים מְהֻלָּכֶת בּוֹ, הוֹרֵק לְתוֹכָהּ אֶרְבַּע אַמּוֹת – חַיִּיב. וְכַמָּה הוּא רִקְק מִיִּם – פָּחוֹת מִעֶשְׂרֵה טַפְחִים. רִקְק מִיִּם וְרִשּׁוֹת הָרִבִּים מְהֻלָּכֶת בּוֹ, הוֹרֵק בְּתוֹכָהּ אֶרְבַּע אַמּוֹת – חַיִּיב.

גמ' אָמַר לִיה הָהוּא מִרְבֵּן לְרַבָּא: בְּשִׁלְמָא הִילּוּךְ הִילּוּךְ תִּרִי וְיָמַע, הָא קָא מְשַׁמַּע לָן: הִילּוּךְ עַל יְדֵי הַדָּחַק – שְׁמִיָּה הִילּוּךְ, תְּשַׁמִּישׁ עַל יְדֵי הַדָּחַק – לֹא שְׁמִיָּה תְשַׁמִּישׁ. אֲלֵא רִקְק רִקְק תִּרִי וְיָמַע לָמָּה לִי? חַד בִּימּוֹת הַחֲמָה, וְחַד בִּימּוֹת הַגִּשְׁמִים. וְצָרִיכִי, דְּאִי תִנָּא חֲדָא, הוּא אֲמִינָא: הֵנִי מִלִּי בִימּוֹת הַחֲמָה – דְּעִבְדִּי אִינְשֵׁי דְמַסְגִּי לְאִקּוּרִי נַפְשִׁיָּהּ, אֲבָל בִּימּוֹת הַגִּשְׁמִים – לֹא. וְאִי אֲשַׁמְעִין בִּימּוֹת הַגִּשְׁמִים – דְּכִיּוֹן דְּמִשְׁנֵי לֹא אִיכְפֶּת לָהּ, אֲבָל בִּימּוֹת הַחֲמָה – לֹא.

אביי אָמַר: אִיצְטְרִיךְ, סָלָא דְעֵתָךְ אֲמִינָא: הֵנִי מִלִּי הֵיכָא דְלֹא הוּי אֶרְבַּע אַמּוֹת, אֲבָל הֵיכָא דְהוּי אֶרְבַּע אַמּוֹת – אִקּוּפִי מְקַפִּי לִיה.

רב אשי אָמַר: אִיצְטְרִיךְ, סָלָא דְעֵתָךְ אֲמִינָא. הֵנִי מִלִּי – הֵיכָא דְהוּי אֶרְבַּעַת, אֲבָל הֵיכָא דְלֹא הוּאִי אֶרְבַּעַת – מִיפְסָעִי פְסָעִי לִיה. וְאִזְדָּא רַב אֲשִׁי לְטַעְמִיהּ, דְּאָמַר רַב אֲשִׁי: הָאִי מֵאֵן דְּזָרִיק וְנָח אִגּוּדָא דְגַמְלָא – מִיחַיִּיב, שְׁהִירִי רַבִּים בּוֹקְעִין בּוֹ.

מתני' הוֹרֵק מִן הַיָּם לְיַבֶּשֶׁת, וּמִן הַיָּבֶשֶׁת לְיָם, וּמִן הַיָּם לְסִפִּינָה, וּמִן הַסִּפִּינָה לְיָם, וּמִן הַסִּפִּינָה לְחִבְרֻתָהּ – פָּטוּר. סִפִּינּוֹת קְשׁוּרוֹת, זֶו בְּזֶו – מְטַלְטְלִין מִזֶּו לְזֶו. אִם אֵינָן קְשׁוּרוֹת, אַף עַל פִּי שְׁמוֹקְפוֹת – אֵין מְטַלְטְלִין מִזֶּו לְזֶו.

גמ' אֵיתִימַר: סִפִּינָה, רַב הוּנָא אָמַר: מוֹצִיאִין הֵימֶנָה זֶו בְּלָ שְׁהוּא, וּמְמַלָּא. רַב חֲסִידָא וְרַבָּה בְּרַב הוּנָא אָמְרִי: עוֹשֶׂה מְקוֹם אֶרְבַּעַת וּמְמַלָּא.

From where is a *karmelit* in the sea measured – **כַּרְמְלִית שְׂבִים מֵהֵיכָן נִמְדָּדֶת**: The *karmelit* in the sea is measured from the surface of the water, which in this regard is considered like the ground. If an object was taken from within ten handbreadths above the surface of the water, the object was taken from a *karmelit*. If the object was more than ten handbreadths off the surface of the water, the object was taken from an exempt domain. This ruling is in accordance with the opinion of Rav Hisda and Rabba, son of Rav Huna, who constitute the majority in the dispute with Rav Huna (*Maggid Mishne*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 14:5; *Shulḥan Arukh*, *Orah Hayyim* 345:18).

How does he throw out his waste water – שׁוֹפְכִין: If one needs to pour water or other waste (*Magen Avraham*) from a boat into the sea on Shabbat, he should not pour it directly into the sea, but should pour it onto the side of the boat and let it run into the sea (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 15:19; *Shulḥan Arukh*, *Orah Hayyim* 355:1).

BACKGROUND

A protrusion on a boat – **מוֹרָשָׁא**: The sides of the boat are typically higher at both the ends than in the middle. However, the protrusion referred to in the Gemara is the battering ram that protrudes at the front of the boat. It is likely that at times it is lower than ten handbreadths since it is beneath the water.



Model of a Roman boat from the talmudic period

רב הונא אָמַר: מוֹצִיא הַיָּמֶנָה זֶו כָּל שֶׁהוּא וּמִמֶּלֶא, קָסֶבֶר: כַּרְמְלִית מֵאֲרַעָא מְשַׁחֲיָנָא, וְאִוְיָא מְקוֹם פְּטוּר הוּא, וּבְדִין הוּא דְּזִין נְמִי לֹא לִיבְעִי, אֲלֵא בִּי הֵיכִי דְּלִיהוּ לִיהִי הִיבְרָא.

רב חסדא ורבה בר רב הונא אָמְרִי: עוֹשֶׂה מְקוֹם אֲרַבְעָה וּמִמֶּלֶא, קָסֶבֶר: כַּרְמְלִית מְשַׁפֶּת מֵאֲרַעָא מְשַׁחֲיָנָא, מֵאֲרַעָא סְמִיכְתָּא, אִי לֹא עֲבִיד מְקוֹם אֲרַבְעָה – קָא מְטַלְטֵל מְכַרְמְלִית לְרִשּׁוֹת הַיָּחִיד.

אָמַר לִיהִי רַב נַחֲמָן לְרַבָּה בְּרַב אַבּוּהָ: וְלָרַב הוֹנָא דְּאָמַר מוֹצִיא הַיָּמֶנָה זֶו כָּל שֶׁהוּא וּמִמֶּלֶא, זִמְנִין דְּלִיבָא עֲשָׂרָה, וְקָא מְטַלְטֵל מְכַרְמְלִית לְרִשּׁוֹת הַיָּחִיד! אָמַר לִיהִי: גְּמָרִין, דְּאִין סְפִינָה מְהֻלְכֶת בְּפָחוֹת מֵעֲשָׂרָה, וְהָא מוֹרָשָׁא אֵית לָהּ! אָמַר רַב סְפָרָא: גְּשׁוּשֵׁי אֲזִילִי קָמָה.

אָמַר לִיהִי רַב נַחֲמָן בְּרַב יִצְחָק לְרַב חֲזִיא בְּרַב אַבִּין: לְרַב חֲסָדָא וְלְרַבָּה בְּרַב הוֹנָא, דְּאָמְרִי: עוֹשֶׂה מְקוֹם אֲרַבְעָה וּמִמֶּלֶא, שׁוֹפְכִין דִּידֵיהּ הֵיכִי שְׂדֵי לְהוּ? וְכִי תִימָא: דְּשְׂדֵי לְהוּ בְּאוֹתוֹ מְקוֹם – מְאִיסִי לִיהִי! דְּשְׂדֵי לְהוּ אֲדַפְנָא דְּסִינָה, וְהָא אֵיבָא כְּחוּ! כְּחוּ בְּכַרְמְלִית לֹא גִזְרוּ, וּמִנָּה תִימָרָא – דְּתִנָּא: סְפִינָה אִין מְטַלְטֵלִין לֹא מְתוּכָה לִים וְלֹא מִן הֵים לְתוּכָה.

The Gemara explains: Rav Huna, who said that one extends a projection of any size and fills a receptacle with water, maintains that we measure the *karmelit* from the sea floor. Since the sea itself is deeper than ten handbreadths, the boat is considered to be floating in the air, and the air is an exempt domain, as it is above ten handbreadths from the ground of the *karmelit*. And by law one should not require a projection because he is drawing water from an exempt domain into a private domain, which is permitted *ab initio*. Rather, the reason a projection is required is so that he will have a distinctive sign and not come to draw water from a *karmelit* into a private domain.

Rav Hisda and Rabba bar Rav Huna say: One creates an area, a frame of four by four handbreadths, and fills a receptacle with water. They maintain that we measure the *karmelit* from the surface of the water,¹ and the water in the sea has a legal status like that of solid land. Therefore, if one does not create an area of four by four, he will carry from a *karmelit* to the private domain.

Rav Nahman said to Rabba bar Avuh: And according to Rav Huna, who said that one extends a projection of any size from the side of the boat and fills a receptacle with water, isn't there room for concern that at times when the water is not ten handbreadths deep, he will carry from a *karmelit* into the private domain? He said to him: We learned through tradition that a boat does not travel in water that is less than ten handbreadths deep. He asks: Although a boat has a protrusion⁸ at its bow is more than ten handbreadths above the sea floor, the entire length of the boat is not necessarily that far above the bottom. Rav Safra said: Those people who measure the depth of the water with long poles proceed before the ship and ensure that that the water is at least ten handbreadths deep.

Rav Nahman bar Yitzhak said to Rav Hiyya bar Avin: According to Rav Hisda and Rabba bar Rav Huna, who say that in order to draw water onto a boat on Shabbat one creates an area of four by four handbreadths and fills a receptacle, how does he throw out his waste water?⁹ And if you say he pours it out in the same area from which he draws water, the water that he subsequently draws from there will be disgusting to him. Rav Hiyya bar Avin answered him: He pours it onto the side of the boat from which it runs into the sea, and he does not pour it directly into the sea. The Gemara asks: Even so, it is accomplished by means of his power. Although he did not pour it directly, he caused the waste water to enter the sea. The Gemara answers: The Sages did not issue a decree to prohibit an action performed by one's power in a *karmelit*. They only prohibited throwing an object directly. And from where do you say that this is so? As it was taught in a *baraita*: With regard to a ship, one may neither carry from it into the sea, nor from the sea into it.

Perek XI

Daf 101 Amud a

NOTES

Ten handbreadths deep and it is not ten handbreadths above the surface – **עֲשָׂרָה וְאִין**: **עֲשָׂרָה עֲשָׂרָה**: In the case of a boat that is ten handbreadths deep but not ten handbreadths above the surface of the water, one might think that if the boat itself has partitions it is considered a private domain. And since it is not separate from the *karmelit*, but rather its partitions are within the *karmelit*, carrying from the sea into the boat is not prohibited (see *Tosefot Rid*). In the Jerusalem Talmud it is explained that it was permitted to carry from the boat into the sea due to need and due to danger.

רַבִּי יְהוּדָה אָמַר: עֲמוּקָה עֲשָׂרָה וְאִין גְּבוּהָה עֲשָׂרָה – מְטַלְטֵלִין מְתוּכָה לִים, אֲבָל לֹא מִן הֵים לְתוּכָה. מֵאִי שָׁנָא מִן הֵים לְתוּכָה דְּלֹא – דְּקָא מְטַלְטֵלִין מְכַרְמְלִית לְרִשּׁוֹת הַיָּחִיד, מְתוּכָה לִים נְמִי – קְמִטְטֵל מְרִשּׁוֹת הַיָּחִיד לְכַרְמְלִית! אֲלֵא לֹא – אַחֲזָדָה, וְשִׁמְעָה מִנֶּה: כְּחוּ בְּכַרְמְלִית לֹא גִזְרוּ, שְׁמַע מִינָה.

Rabbi Yehuda says: If the interior of the boat is ten handbreadths deep and it is not ten handbreadths above the surface¹⁰ of the water, one may carry from it into the sea, but not from the sea into it. The Gemara asks: What is different about carrying from the sea into the ship that one may not do so? Is it because in doing so one is carrying from a *karmelit* into the private domain? In carrying from the ship into the sea, one is also carrying from the private domain into a *karmelit*. Rather, is it not that from the ship to the sea is permitted because one throws the object onto the edge of the boat and it falls into the sea on its own, and learn from it that the Sages did not issue a decree prohibiting an action caused indirectly by one's power in a *karmelit*? The Gemara summarizes: Indeed, learn from it that this is so.

Small boats of Meishan – ביצאתא דמישן: See the comments of the *ge'onim* in *Tosafot*, cited by Rabbeinu Hananel, which explain that these were small boats whose bottoms were a lattice of beams. The Gemara discusses whether or not the legal status of the bottom of the boat is that of a partition. The Rashba comments that, despite the fact that this explanation is simpler than Rashi's in several respects, difficulty still lies in explaining the following statement in the Gemara: The boat does not reach four handbreadths less than three handbreadths from the bottom of the boat. According to the explanation of the *ge'onim*, this statement means that one of the beams must be four handbreadths wide. If the beams are less than three handbreadths apart, they should be considered joined [*lavud*], and the bottom of the boat should be considered to be a surface with no holes. Why, then, does the beam need to be four handbreadths wide?

Passage of goats and fish – בקיעת גדיים ודגים: The difference between the passage of goats, which renders a partition invalid, and the passage of fish, which does not, stems from the understanding of the significance of the passage of goats. In many areas of *halakha*, insubstantial partitions are considered partitions. However, the passage of goats makes these intangible halakhic partitions look absurd, rendering them invalid. However, the passage of fish through a halakhic partition does not invalidate the partition because that passage is not visible to onlookers.

BACKGROUND

Small boats of Meishan – ביצאתא דמישן: Apparently, the boats of Meishan, according to Rashi's interpretation, were similar to a Roman boat that is narrow at the bottom and becomes gradually wider towards the top.



Relief of a small Roman boat from Trajan's Column, from the mishnaic period

אמר רב הונא: הני ביצאתא דמישן אין מטלטלין בהן אלא בארבעה. ולא אמרן אלא שאין בפתות משלשה ארבעה, אבל יש בפתות משלשה ארבעה – לית לן בה. ואי מלינהו קמי ואורבני – לית לן בה.

מתקיף לה רב נחמן: ולימא "גוד אחית מחיצתא"! מי לא תנא, רבי יוסי ברבי יהודה אומר: נעץ קנה ברשות הרבים ובראשו טרסקל, וזרק ונח על גביו – חייב. אלמא: אמרינן "גוד אחית מחיצתא", הך נמי נמימא "גוד אחית מחיצתא"!

מתקיף לה רב יוסף: ולא שמיצא להו להא דאמר רב יהודה אמר רב, ומטו בה משום רבי חייא, ותני עלה: וחכמים פוטרין! אמר ליה אבוי: זאת לא תסברא? והתנא: עמוד ברשות הרבים גבוה עשרה ורחב ארבעה ואין בעיקרו ארבעה ויש בקצו שלו שלשה, וזרק ונח על גביו – חייב. אלמא, אמרינן: "גוד אחית מחיצתא" הך נמי: גוד אחית מחיצתא!

מידי איריא? התיב – הוויא ליה מחיצה שהגדיים בוקעין בה, הך – הוויא ליה מחיצה שאין הגדיים בוקעין בה. אמר ליה רב אחא ברביה דרב אחא לרב אשי: גבי ספינה נמי, הא איכא בקיעת דגים! אמר ליה: בקיעת דגים לא שמייה בקיעה. ומנא תימרא – דבעא מיניה רבי טבלא מרבין: מחיצה תלויה, מהו שתתיר בחורבה? ואמר ליה: אין מחיצה תלויה מתרת

Rav Huna said: With regard to those small boats of Meishan,^{NHB} which are wide on top and narrow at the bottom, one may carry in them only within four cubits. Because they are less than four handbreadths wide at the bottom, they are not a private domain. And we only said this *halakha* in a case where the width of the boat does not reach four handbreadths less than three handbreadths from the bottom of the boat. However, if the width of the boat reaches four handbreadths less than three handbreadths from the bottom, we do not have this *halakha*, as those are considered full-fledged partitions which create a private domain. And, similarly, if one fills the bottom of the boat with reeds and thin willow branches up to the point where the boat reaches four handbreadths, we do not have this *halakha*. If there are ten handbreadths above the point where the boat reaches four handbreadths, it is a private domain.

Rav Nahman strongly objects to this: And let us say: Lower the partition. The upper part of the raft is sufficiently wide and its partitions are sufficiently high; why not consider it as if the partitions of the boat descend from the top of the raft in a straight line to the bottom? Was it not taught in a *baraita* that Rabbi Yosei, son of Rabbi Yehuda, says: One who stuck a stick into the ground in the public domain, and hung a basket atop it^H that is four by four handbreadths wide, and threw an object from the public domain and it landed upon it, he is liable, like one who carried an object into a private domain? Apparently, we say: Lower the partition of the basket and treat it as if it reaches the ground, creating a column that is considered a private domain. Here, too, let us say: Lower the partition.

Rav Yosef strongly objects to this statement of Rav Nahman: And did they not hear that which Rav Yehuda said that Rav said, and there are those who determined that this *halakha* was stated in the name of Rabbi Hiyya: And it was taught in a *baraita*: And the Rabbis deem one exempt in the case of a reed stuck in the ground of a public domain? Apparently, the opinion of Rabbi Yosei, son of Rabbi Yehuda, is an individual opinion and was not accepted as *halakha*. Abaye said to him: And do you not hold the principle of extending partitions? Was it not taught in a *baraita*: With regard to a column in the public domain that is ten handbreadths high and four handbreadths wide, and its base is not four handbreadths wide,^H and its narrowest point is more than three handbreadths high; and if one threw an object from the public domain and it came to rest atop the column, he is liable? Apparently, we say: Lower the partition. Since the column's uppermost section is sufficiently wide, its partitions are considered as if they extend to the ground. Here, too, say: Lower the partition.

The Gemara asks: Are the case of the basket and the case of the boat comparable? There, in the case of the basket, it is a partition that goats pass through. A partition that does not serve as a barrier is not considered a partition. Here, it is a partition that goats do not pass through. It is considered a partition. Rav Aha, son of Rav Aha, said to Rav Ashi: In the case of a boat, too, there is the passage of fish,^N as they can swim through the lowered partitions of the boat. He said to him: Passage of fish is not considered passage because it is not visible. And from where do you say that this is so? As Rabbi Tavla raised a dilemma before Ravin: With regard to a hanging partition, what is the ruling in terms of it permitting one to carry in a ruin when part of the building's walls are still intact, and they are still considered partitions? Ravin said to him: A hanging partition only permits one to carry

HALAKHA

Small boats of Meishan – ביצאתא דמישן: It is prohibited to carry more than four cubits within small boats whose sides are not high enough to create a private domain (*Shulhan Arukh, Oraḥ Hayyim* 366:2 and in the comment of the Rema).

One who stuck a stick into the ground in the public domain and hung a basket atop it – נעץ קנה ברשות הרבים ובראשו טרסקל: If a pole with a basket on top is placed in a public domain, the area is not considered to be a private domain, even if the basket is four by four handbreadths, because its walls are not considered partitions large enough to form a private domain (*Kesef Mishne*). Therefore,

one who throws an object on Shabbat from the public domain into the basket atop the pole is exempt (Rambam *Sefer Zemanim, Hilkhot Shabbat* 14:18).

A column that widens – עמוד המתרחב: The Rambam maintains that a column in the public domain that is at least ten handbreadths high, and is more than four handbreadths wide at the top and three handbreadths wide at the bottom, is considered a private domain. Rashi agrees (*Maggid Mishne*; Rambam *Sefer Zemanim, Hilkhot Shabbat* 14:16).

HALAKHA

Hanging partition – מחיצה תלויה: A hanging partition is considered to be a partition that descends to the ground only when it is over water. This is because the prohibition of carrying in water is only by rabbinic law (Rambam *Sefer Zemanim, Hilkhot Shabbat* 15:13).

A partition that is established on Shabbat – מחיצה שנינשה בשבת: The legal status of a partition that was established on Shabbat is that of a full-fledged partition for all Torah laws. If one established a partition intentionally, the Sages decreed that it is only considered a partition for stringency. One who throws an object from the public domain into the area surrounded by that partition is liable. However, with regard to leniency, it is not considered a partition. One may not carry an object in a domain surrounded by that partition. However, if a partition stood before Shabbat, then collapsed, and was erected again on Shabbat it is considered a valid partition, even if it was reconstructed intentionally (Rambam *Sefer Zemanim, Hilkhot Shabbat* 16:22; *Shulhan Arukh, Orach Hayyim* 362:3).

BACKGROUND

A small boat between two boats – ביצית שבין: These small boats or rafts were used to transfer goods and people from one boat to another, or from the boat to the shore.



Roman relief featuring a small raft adjacent to a boat

אֶלָּא בְּמִים, קִלְ הוּא שְׁהִיְלִי חֻכְמִים בְּמִים. וְאַמַּאי? הָא אִיבָא בְּקִיעֵת דְּגִים! אֶלָּא שְׁמַע מִינָהּ: בְּקִיעֵת דְּגִים – לֹא שְׁמָה בְּקִיעָה.

”סְפִינֹת קְשׁוּרוֹת כּו’.” פְּשִׁיטָא! אָמַר רַבָּא: לֹא נִצְרְכָה אֶלָּא לְהַתִּיר בִּיצִית שְׁבִינִיָּהּ.

אָמַר לִיהִי רַב סְפָרָא: מִשֹּׁה, שְׁפִיר קְאָמַרְתָּ! ”מְטַלְטֵלִין מִזֹּו לִזֹּו” תֵּנִן! אֶלָּא אָמַר רַב סְפָרָא: לֹא נִצְרְכָה אֶלָּא לְעָרֵב וּלְטַלְטֵל מִזֹּו לִזֹּו. וְכִדְתֵּינָא: סְפִינֹת קְשׁוּרוֹת זֹו בְּזֹו – מְעָרְבִין וּמְטַלְטֵלִין מִזֹּו לִזֹּו, נִפְסְקוּ – נֶאֱסְרוּ. חֲזָרוּ וְנִפְשְׁרוּ, בֵּין שׁוֹגְגִין, וּבֵין מְזִידִין, בֵּין אֲנוּסִין בֵּין מוֹטְעִין – חֲזָרוּ לְהִיתָרָן הָרָאוּן.

וְכֵן מִחְצָלוֹת הַפְּרוּסוֹת (לְרִשׁוֹת הָרָבִים) – מְעָרְבִין וּמְטַלְטֵלִין מִזֹּו לִזֹּו, נִגְלְלוּ – נֶאֱסְרוּ, חֲזָרוּ וְנִפְשְׁרוּ, בֵּין שׁוֹגְגִין בֵּין מְזִידִין בֵּין אֲנוּסִין וּבֵין מוֹטְעִין – חֲזָרוּ לְהִיתָרָן הָרָאוּן. שְׁכָל מַחִיצָה שְׁנִיעֶשֶׂה בְּשַׁבָּת, בֵּין בְּשׁוֹגֵג בֵּין בְּמִזִּיד – שְׁמָה מַחִיצָה.

אִינִי! וְהָאֵמַר רַב נַחֲמָן: לֹא שָׁנוּ – אֶלָּא לְזֹרֵק, אֲבָל לְטַלְטֵל – אָסוּר! בִּי אֵיתָמַר דְּרַב נַחֲמָן – אֲמִיד אֵיתָמַר.

in water. It is a leniency the Sages instituted in water but not in other circumstances. And why were they lenient with regard to a hanging partition¹¹ in water? Isn’t there the passage of fish? Rather, learn from this that the passage of fish is not considered passage.

We learned in the mishna: If boats are tied together, one may carry an object from one to the other on Shabbat. The Gemara asks: That is obvious, since these boats are like a single domain. Rava said: This mishna was necessary only to permit carrying from one boat to another via a small boat that is between them.⁸

Rav Safra said to him: You, who are as great in this generation as Moses, did you speak well?¹¹ We learned in the mishna that one may carry only from one to the other, not via a small boat. Rather, Rav Safra said: The mishna was only necessary to obligate one to place an *eiruv*, a joining of courtyards,¹² between the two boats. Since the boats belong to different people, they must be joined to form a single domain in order to permit carrying from one to the other, as it was taught in a *baraita*: With regard to boats tied to one another, one places an *eiruv* and carries from one to the other. If the ties between them were severed, the people on the boats are prohibited to carry from one to the other. If they were then retied, whether unwittingly, i.e., the one who retied them forgot that it was Shabbat, whether intentionally, whether due to circumstances beyond one’s control, whether mistakenly, the boats are restored to their original permitted status.

And similarly, in the case of mats that are unfurled to create a partition between two people and the public domain, one places an *eiruv* and carries from one to the other. If the mats were furled, the people on the boats are prohibited to carry from one to the other. If the mats were then unfurled again, whether unwittingly, whether intentionally, whether due to circumstances beyond one’s control, whether mistakenly, they are restored to their original permitted status. That is because any partition that is established on Shabbat,¹³ whether unwittingly, whether intentionally, is considered a partition.

The Gemara asks: Is that so? Didn’t Rav Nahman say: They only taught the principle that a partition established on Shabbat is considered a partition with regard to throwing. In that case, a partition creates a domain unto itself, and one who throws an object into it from another domain is liable. However, with regard to carrying¹⁴ within that domain, it is certainly prohibited. The Gemara answers: When that statement of Rav Nahman was stated, it was stated with regard to an act performed intentionally. One who intentionally establishes a partition is penalized and is not permitted to benefit from it. In principle, though, that partition is considered a full-fledged partition.

NOTES

Moses, did you speak well – מִשֹּׁה, שְׁפִיר קְאָמַרְתָּ: This expression appears several times in the Talmud. Rashi sometimes explains it as a reference to a prominent leader of the generation or a Torah scholar. Other times, he explains it as an exclamation by which one takes an oath in the name of Moses. Some explain that here the phrase is not an expression of wonder, but rather an expression of support meaning that Rav Safra agreed with Rava’s basic *halakha*. Yet he still commented that an analysis of the language of the mishna indicates otherwise (*Me’iri*).

The mishna was only necessary to obligate one to place an *eiruv* – לֹא נִצְרְכָה אֶלָּא לְעָרֵב: See *Tosafot* for a discussion of the novelty inherent in establishing a joining of courtyards between boats owned by two people. Some explained the novel element as

follows: Although one may not establish a joining of courtyards in two adjacent courtyards separated by a partition ten handbreadths high with no opening, one may place an *eiruv* between two boats, even if their partitions are ten handbreadths high (*Ra’avad*).

To throwing...to carrying – לְזֹרֵק...לְטַלְטֵל: The difference between throwing and carrying lies in the difference between partitions valid by Torah law and those valid by rabbinic law. Rabbi Nahman agrees that, by Torah law, the sole determinants of the nature of a domain are the partitions. All Torah prohibitions apply to areas surrounded by these partitions, and liability for *karet* is determined by the partitions. Nevertheless, the Sages have the authority to prohibit carrying within a private domain as a decree or as a penalty.

אמר שמואל: ואפילו קשורות בחוט הסרבל. היכי דמי? אי דיכול להעמידן – פשיטא, אי דאין יכול להעמידן – אמאי?

לעולם דיכול להעמידן, ושמואל לאפוקי מדנפשיה קאתי. דתנן: קשרה בדבר המעמידה – מביא לה טומאה, בדבר שאין מעמידה – אין מביא לה טומאה. ואמר שמואל: והוא שקשורה בשלשלת של ברזל.

לענין טומאה הוא, דכתיב: "בחלל חרב" – חרב הרי הוא כחלל – אין, אבל לענין שבת, כיון דיכול להעמידה (היכר בעלמא הוא) – אפילו בחוט הסרבל.

Shmuel said: The *halakha* that one may carry from one ship to another if they are tied together applies **even** if they were **tied with a string** used to close the neckline of a **cloak**.⁸ The Gemara asks: **What are the circumstances?** If the string is capable of holding the ships together, it is **obvious** that carrying between the ships is permitted as they are tied together. However, if the string is incapable of holding them, why is it permitted?

The Gemara explains: **Actually**, it refers to a string that **can hold them**, and Shmuel said this **to exclude this case from his own statement**. As we learned in a mishna: If one tied a ship with an **item capable of holding it**⁹ and the end of that item was in a tent with a corpse, it **transmits impurity** to the ship. And if one tied it with something that is incapable of holding it, it **does not transmit impurity** to the ship. **And Shmuel said:** When the mishna refers to an item capable of holding it, it is referring to a case where it is **tied with an iron chain**.¹⁰

It was necessary for Shmuel to establish that although with regard to ritual impurity the *halakha* applies only to an iron chain, with regard to Shabbat the *halakha* applies to any item capable of holding the ships together. The reason that the *halakha* is different with regard to impurity is as it is written: "And whoever touches in the open field one slain by sword, or one who dies by himself, or a bone of a man, or a grave, shall be unclean seven days" (Numbers 19:16). The Sages derived from the phrase: One slain by sword that a **sword is like one slain**, i.e., a corpse. A metal instrument that comes into contact with a corpse assumes the same level of ritual impurity as the corpse itself, the ultimate primary source of ritual impurity. Therefore, it is only an iron chain in a tent with a corpse in it that can render a boat tied to the other end a primary source of ritual impurity. A string made of other materials cannot. **However, with regard to Shabbat, since it is capable of holding it and it is a mere distinctive sign that is necessary, even the string of a cloak is sufficient.**

BACKGROUND

String of a cloak – חוט הסרבל



Greek attire with a thin sash resembling the string referred to in the Gemara

HALAKHA

קשרה בדבר – Tied with an item capable of holding it – **המעמידה**: If one tied a boat with an object capable of holding it in place, the boat transmits impurity like a tent over a corpse (Rambam *Sefer Tahara, Hilkhot Tumat Met* 13:6).

NOTES

Tied with an iron chain – שקשורה בשלשלת ברזל – See *Tosafot*, who have a variant reading of the Gemara and therefore a different explanation of it. There is yet another explanation of the Gemara that differs slightly from Rashi's explanation, yet is based on his version of the text. According to this explanation, the boat serves as a tent over a corpse, and it is also a tent over the chain. The tent assumes the impurity of the corpse, the ultimate source of ritual impurity. If the chain is not tied to the boat, the *halakha* is like that of a non-stationary tent, i.e., a sailing boat or a flying bird, and the boat does not have the legal status of a tent over a corpse. Therefore, the Gemara emphasizes that the boat is considered a stationary tent and transmits ritual impurity only if the chain is tied to it (Rabbeinu Tam; Ramban).

HALAKHA

All who are liable to bring sin-offerings are only liable, etc. – **כל חייבי תשאות אינן חייבין וכו'**: A person is only liable to bring a sin-offering for an unwitting transgression if the act was unwitting from beginning to end. If at any point while performing the transgression he acted intentionally, he is exempt from bringing a sin-offering (Rambam *Sefer Zemanim, Hilkhot Shabbat* 1:19 and *Sefer Korbanot, Hilkhot Shegagot* 2:1).

Perek XI

Daf 102 Amud a

מתני' הזורק ונופר מאחר שיצתה מידו, קלטה אחר, קלטה כלב, או שנשרפה – פטור. זרק לעשות חבורה, בין באדם ובין בבמה, ונופר עד שלא נעשית חבורה – פטור. זה הכלל: כל חייבי חטאות אינן חייבין עד שתהא תחילתן וסופן שגגה. תחילתן שגגה וסופן זדון, תחילתן זדון וסופן שגגה – פטורין עד שתהא תחילתן וסופן שגגה.

MISHNA One who unwittingly throws an object from one domain to another or one who throws an object four cubits within the public domain, **and after the object left his hand he remembered** that he is in violation of a prohibition, if **another caught it**, or if **a dog caught it**, or if it **was burned**, he is exempt. Similarly, if one threw a rock on Shabbat to inflict a wound on a person or on an animal, for which one is liable to bring a sin-offering, **and he remembered** that he was in violation of a prohibition **before the wound was inflicted**, he is exempt. **This is the principle:** All who are liable to bring sin-offerings are only liable¹¹ if the **beginning** of their action and the **conclusion** of their action are **unwitting**. However, if the **beginning** of one's action was **unwitting** and the **conclusion** was **intentional**, as he became aware that he was in violation of a prohibition, or if the **beginning** of one's action was **intentional** and the **conclusion** was **unwitting**, the individuals in both of these cases are exempt until both the **beginning** and the **conclusion** are **unwitting**.

Wasn't this principle that was taught, taught with regard to throwing – והא זה הכלל דקתני – אוריקה: Clearly, the phrase in the mishna: This is the principle, comes to explain the beginning of the mishna. The mishna can only be explained in a manner that connects between its various parts (*Tosefot Rid*).

The mishna is incomplete, etc. – חסורי מחסרה – וכו': Even though Rava's statement explained the mishna well, Rav Ashi held that it is wrong to divide the mishna into two separate topics. According to Rava's explanation, the first part of the mishna deals with one *halakha* and the end deals with another *halakha*. Rav Ashi introduces a *halakha* to tie the other two parts together.

גמ' הא נחה – חייב, והלא נזכר, ותנן: כל חייבי חטאות אינן חייבין עד שתהא תחלתן וסופן שגגה! אמר רב כהנא: סיפא אתאן ללכתא ומתנא.

לכתא ומתנא אוגדו בידו הוא! כגון שנתכוין לעשות חבורה. הא נמי תנינא: "הזורק לעשות חבורה בין באדם בין בבבהמה, ונזכר עד שלא נעשית חבורה – פטור!" אלא אמר רבא: במעביר.

והא "זה הכלל" דקתני – אוריקה קתני! אלא אמר רבא: תרתי קתני; הזורק ונזכר מאחר שיצתה מידו, אי נמי: לא נזכר, וקלטה אחר או קלטה כלב או שנשרפה – פטור.

רב אשי אמר: חסורי מחסרה, והכי קתני: הזורק ונזכר, מאחר שיצתה מידו קלטה אחר, או קלטה כלב, או שנשרפה – פטור. הא נחה – חייב. במה דברים אמורים – שחזר ושכח, אבל לא חזר ושכח – פטור, שכל חייבי חטאות אינן חייבין עד שתהא תחלתן וסופן שגגה.

"זה הכלל כל חייבי חטאות כו'". איתמר: שתי אמות בשוגג, שתי אמות במזיד, שתי אמות בשוגג;

GEMARA We learned in the mishna that if one throws an object unwittingly and then remembers that he was in violation of a prohibition, he is exempt if the object did not come to rest on the ground. The Gemara infers: If the object comes to rest, he is liable. The Gemara asks: Why is he liable? Didn't he remember the prohibition before it landed, and we learned in the mishna: All who are liable to bring sin-offerings are only liable if the beginning of their action and the conclusion of their action will be unwitting? If one remembered before the act was complete, he should be exempt. Rav Kahana said: With regard to the latter clause of the mishna, we have come to a special case of a bolt and a cord. The bolt is connected to a cord that one holds in his hand, which renders him capable of retrieving the bolt before it lands. Therefore, in a case where the beginning was unwitting and the conclusion was intentional, one is exempt because he is still capable of changing the outcome of the action. However, in the first clause of the mishna, once the object left his hand the action is irreversible, and therefore it is an action whose beginning and conclusion are unwitting.

The Gemara asks: The case of the bolt and the cord is one where one holds it in his hand.⁴ Therefore, no act of throwing actually took place, and there is no liability to bring a sin-offering. The Gemara answers: The case of the bolt and the cord was not stated with regard to Shabbat. Rather, it was stated with regard to one who intended to inflict a wound by throwing an object tied to a rope. The Gemara asks: This was also taught explicitly in the mishna: If one threw a rock on Shabbat to inflict a wound on a person or on an animal, and he remembered before the wound was inflicted, he is exempt. Rather, Rava said: This principle was stated with regard to a case of carrying, not throwing an object. Since one is holding the object the entire time while violating the prohibition, and is capable of letting it go at any time, this is a case whose beginning and conclusion are intentional.

The Gemara asks: Wasn't this principle that was taught, taught with regard to throwing⁵ because that is the topic of the mishna? Rather, Rava said: Two separate matters were taught in the mishna. The first case is: One who unwittingly throws an object, and after the object left his hand he remembered that he was in violation of a prohibition. Alternatively, another case where one is exempt is: A case where one did not remember and another caught it, or a dog caught it, or if it was burned, he is exempt.

Rav Ashi said: The mishna is incomplete,⁶ and it teaches the following: One who throws a rock and remembers the violation after it left his hand, if another caught it, or if a dog caught it, or if it was burned, he is exempt. By inference, if the object comes to rest, he is liable. Rav Ashi adds: In what case are these matters stated? In a case where one then forgot again before the object came to rest. However, if one did not then forget again, he is exempt because all who are liable to bring sin-offerings are liable only if the beginning of their action and the conclusion of their action are unwitting.

We learned in the mishna that this is the principle: All who are liable to bring sin-offerings are only liable if the beginning of their action and the conclusion of their action are unwitting. It was stated that *amora'im* disputed this point. With regard to a case where one carried an object in the public domain two cubits unwittingly, and then became aware and carried it two more cubits intentionally, and then carried it two additional cubits unwittingly,⁷ and then placed the object, can this be characterized as a case in which the beginning of the action and the conclusion of the action are unwitting?

HALAKHA

The bolt and the cord...one holds it in his hand – לכתא ומתנא אוגדו בידו הוא: One who throws an object on Shabbat from one domain to the other while keeping the object tied to a cord in his hand is exempt. Since he is able to pull back the object, is it never considered fully placed, and the act of carrying out is incomplete (Rambam *Sefer Zemanim, Hilkhot Shabbat* 13:14).

שוגג מזיד ושוגג – Unwittingly, intentionally, and unwittingly – If one carries an object in his hand two cubits in the public domain unwittingly, and then two cubits intentionally, and then another two unwittingly, he is exempt because there is awareness for half a measure. If he threw the object he is liable because once he threw it he no longer had control over the object (Rambam *Sefer Korbanot, Hilkhot Shegagot* 6:8).

If one threw an object and it came to rest in the mouth of a dog – זרק ונחה בפי הכלב – Some explain the following: If one throws an object to a place that is less than four by four handbreadths, the place is only considered significant if the thrower intended to throw the object there for a specific purpose, e.g., for it to be eaten by the dog or burned in the furnace. Intent to throw an object to a specific place, without a specific purpose, is not enough to establish a place as significant (Tosefot Rid).

Several liabilities for a single transgression – כמה חייבים על עבירה אחת: The basic premise that an individual could be liable for violating several prohibitions for a single act is not obvious. The *tanna'im* in tractate *Yevamot* and elsewhere disagree about the circumstances needed for two prohibitions to be violated in a single action. Although most authorities maintain that one violates two prohibitions when they take effect simultaneously, several authorities disagree.

HALAKHA

If one threw an object and it came to rest in the mouth of a dog – זרק ונחה בפי הכלב – If one throws an object from one domain to another and another person or a dog or catches the object before it lands, he is exempt because the object did not land as he intended. However, if that was his intention when he threw it, he is liable (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 13:13).

Liability to bring several sin-offerings – חייב כמה: One who violated several prohibitions in a single action during a single lapse of awareness is liable to bring a sin-offering for each transgression. For example, if an impure person ate forbidden fat on Yom Kippur that was both *notar* and consecrated, he is liable for each transgression (Rambam *Sefer Korbanot*, *Hilkhot Shegagot* 6:4).

רבה אמר: פטור. רבא אמר: חייב. רבה אמר: פטור, מפיל לרצון גמליאל דאמר: "אין ידיעה לחצי שיעור" התם הוא, דכי קא גמר שיעורא – בשוגג קא גמר, אבל הכא דבמזיד – לא.

ובמאי? אי בזרק – שוגג הוא, אלא במעביר.

רבא אמר: חייב. ואפילו לרצון דאמר: "יש ידיעה לחצי שיעור", התם הוא – דבזדון, אבל הכא דאין בידו – לא. ובמאי? אי במעביר – הרי בידו, ואלא בזרק.

אמר רבה: זרק ונחה בפי הכלב או בפי הכבשן – חייב. והאנן תנן: קלטת אחר, או קלטת הכלב, או שגשגפה פטור! התם דלא מבזין, הכא – דקא מבזין.

אמר רב ביבי בר אבאי, אף אנן נמי תנינא: יש אוכל אכילה אחת וחייב עליה ארבע חטאות ואשם אחד, הטמא שאכל חלב, והוא נותר מן המוקדשין, ביום הכפורים.

רבי מאיר אומר: אף אם היתה שבת והוציא [בפיו] – חייב. אמרו לו: אינו מן השם. ואמאי? הא אין דרך הוצאה בך? אלא: בין דקא מיבזין – מחשבתו משוגא ליה מקום, הכא נמי: בין דקא מיבזין – מחשבתו משוגא ליה מקום.

Rabba said: One is exempt. Rava said: One is liable. The Gemara clarifies the two positions. Rabba said: One is exempt. This is the *halakha* even according to Rabban Gamliel, who said: There is no awareness for half a measure, and therefore he is liable. Since one is not liable to bring a sacrifice for a half-measure, the fact that he became aware between consumption of the two halves of an olive-bulk is of no significance. One's awareness does not demarcate between the two half-measures of two cubits with regard to liability to bring a sin-offering. He only said so **there, when the measure that determines liability was completed, it was completed unwittingly. However, here, when the measure is completed, it is completed intentionally.** In that case, he would say **no**, he is not liable. The measure that determines liability for carrying in the public domain on Shabbat is four cubits. When the object reached four cubits, he was carrying the object intentionally.

The Gemara explains: **And in what case was this stated? If it was stated with regard to a case of throwing, the entire act was unwitting because when he became aware, there was nothing he could do to prevent the object from landing. Rather, it must have been with regard to a case of carrying.**

Rava said: One is liable. Even according to the Rabbis, who said: There is awareness for half a measure, and therefore he is exempt, they only said so **there**, where it is still in his control to complete or terminate the action. But **here**, where it is **not** in his control to affect the outcome, they would not say so and would deem him liable. **And in what case was this stated? If it was stated with regard to a case of carrying, the outcome is still in his control. Rather, it must have been with regard to a case of throwing.** Apparently, Rabba and Rava do not disagree. They are discussing separate cases.

Rabba said: If one unwittingly threw an object from one domain to another unwittingly threw an object or four cubits in a public domain on Shabbat, and it came to rest in the mouth of a dog^{NI} or in a furnace, he is liable. The Gemara asks: Didn't we learn in the mishna: If another caught it, or if a dog caught it, or if it was burned, he is exempt? The Gemara answers: **There**, the case of the mishna where one is exempt, **one did not intend** to throw it into the dog's mouth. A dog came and snatched the object, preventing it from landing at its intended destination. Since the intention of the thrower was not realized, he is exempt. However, **here**, where Rabba said that the thrower is liable, **he intended** to throw the object into the dog's mouth. He is liable because his intention was realized.

Rav Beivai bar Abaye said: We also learned support for that distinction in a mishna: **There is a person who performs a single act of eating an olive-bulk of food, and he is liable to bring four sin-offerings and one guilt-offering.**^{NI} How so? This *halakha* applies to one who is ritually impure who ate forbidden fat that was *notar* from a consecrated offering, i.e., it remained after the time when it may have been eaten expired, and this happened on Yom Kippur. The person who did this is liable to bring one sin-offering for eating consecrated food while impure, one for eating forbidden fat, one for eating *notar*, and one for eating on Yom Kippur. He is also liable to bring a guilt-offering for misuse of consecrated items.

Rabbi Meir says: There is one more sin-offering for which he may be liable. In addition, if it was Shabbat and he carried this olive-bulk of food from one domain to another in his mouth, he is liable for carrying out on Shabbat. The Rabbis said to Rabbi Meir: Liability for the sin-offering that you added is **not** incurred from violation of the same type of prohibition. He is liable for carrying out the food, not for eating it. However, fundamentally, the Rabbis agree that one would be liable for carrying out in that case. The Gemara asks: **And why** would one be liable? **That** carrying, which was done in one's mouth, is **not the typical manner of carrying out. Rather, it must be that since he intended** to carry out the object in that manner, **his thought** renders his mouth a suitable place for placement of an object. **Here, too, since he intends** to throw the object into the dog's mouth, **his thought** renders the dog's mouth a suitable place for placement of an object, and he is liable for throwing it there.

Summary of Perek XI

The main question addressed by the Sages in this chapter was: What is the relationship between the text of the Written Torah and the specific laws of carrying out? This question was answered definitively: An explicit Torah source could not be found for the details of the laws that comprise accepted halakhic practice; nor was it possible to directly infer these details from a biblical verse. In actuality, all of the fundamentals of the Shabbat prohibitions were transmitted orally to Moses from Sinai. Notwithstanding this conclusion, the manner in which the Tabernacle activities were performed serves as a model for the laws of Shabbat prohibitions. All of the detailed laws of the labor categories on Shabbat, particularly those of carrying out, are specified and assessed against this standard.

In this chapter, the particular laws of throwing and extending were clarified, and other aspects of the prohibition of carrying out were summarized. Biblical prohibitions such as transporting from the public domain to the private domain were discussed, as were particular laws instituted by the Sages as safeguards. These safeguards include the laws of the intermediate domain known as *karmelit*, carrying through a puddle of water, and the laws pertaining to water in a boat and between boats. These prohibitions do not appear in the Written Torah; rather, they were instituted by the Sages, who assigned them parameters corresponding to those of the biblical prohibitions.

This chapter also discussed the significance of a person's intent at the time he begins performing a labor. This determines whether one would be liable for the acts of carrying out or throwing. The question was also raised whether one's intention can be revoked once an activity has been initiated and is in progress.

Six days shall you labor, but on the seventh day you shall rest; in plowing and in harvest shall you rest.

(Exodus 34:21)

Introduction to Perek XII

This chapter is the first in this tractate to discuss in detail and clarify several of the thirty-nine categories of labor prohibited on Shabbat. It concentrates on three categories of labor: Building, plowing, and writing. The categories of building and plowing were partially addressed in Chapter Seven. Our chapter mainly discusses two questions concerning these categories of labor.

First, what are some of the common subcategories [*toladot*] of these primary categories [*avot*], i.e., what are some specific activities included within the comprehensive definitions of the primary categories building and plowing? The definitions of these primary categories can be formulated in various ways, narrowly and precisely, or much more generally. They are comprised of many details, and the kinds of activities included within the parameters of each primary category must be clarified.

The second question in the chapter is how should the minimum measures that determine liability to bring this sin-offering, as defined by the Torah, be ascertained?

With regard to the category of writing, there are additional problems: Is it necessary to specify the typical manner of writing, i.e., what form and what method constitute the creative act known as writing? Additionally, how do we determine the minimum act that can be considered writing? And, furthermore, does the definition of writing include any symbol or design, or is it limited to the reproduction of letters of the alphabet or other specific figures? And are all writing materials and methods of writing treated equally with reference to liability for performing this category of labor on Shabbat?

These are the main issues that will be clarified in this chapter.

מתני' הבונה במה יבנה ויהא חייב? הבונה כל שהוא. והמסתת, והמכה בפטיש ובמעצד, הקודח כל שהוא – חייב. זה הכלל: כל העושה מלאכה, ומלאכתו מתקיימת בשבת – חייב. (וכן) רבן שמעון בן גמליאל אומר: אף המכה בקורנס על הסדן בשעת מלאכה – חייב, מפני שהוא כמתקן מלאכה.

גמ' כל שהוא למאי חזיא? אמר רבי ירמיה: שכן עני חופר גומא להצניע בה פרוטותיו. דכוותה גבי משכן – שכן תופרי יריעות חופרין גומא להצניע בה מחטיהן. אבוי אמר: כיון דמשתכי לא עבדי הכי. אלא: שכן עני עושה פטופטי כירה קטנה לשפות עליה קדירה קטנה. דכוותה גבי משכן – מבשלי סמנין לצבוע יריעות שחסרה מלאכתו, עושין פטופטי כירה קטנה לשפות עליה יורה קטנה.

רב אחא בר יעקב אמר: אין עניות במקום עשירות. אלא: שכן בעל הבית שיש לו נקב בביתו וסותמו, דכוותה גבי משכן – שכן קרש שנפלה בו דרנא – מטיח לתוכה אבר וסותמו.

אמר שמואל: המציד את האבן – חייב. מיתבי: אחד נותן את האבן ואחד נותן את הטיט – הנותן את הטיט חייב!

וליתעמיך, אימא סיפא, רבי יוסי אומר: ואפילו העלה והניח על גבי דימוס של אבנים – חייב! אלא: תלתא בנייני הוו, תתא מציעא ועילא. תתא – בעי צדודי ועפרא, מציעא – בעי נמי טינא, עילא – בהנחה בעלמא.

MISHNA With regard to one who builds on Shabbat, thereby violating a prohibition in a primary category of prohibited labor, how much must he build to be liable to bring a sin-offering?^{3H} The Sages said: **One who builds** is liable for building any amount. **And one who chisels, or strikes with a hammer or with an adze, or one who drills a hole of any size on Shabbat, is liable.** This is the principle: **Anyone who performs a prohibited labor and his labor endures on Shabbat^N is liable.** And so too, Rabban Shimon ben Gamliel says: **Even one who strikes an anvil with a sledgehammer during his labor has performed a constructive act and is liable, because he is as one who improves the labor that he is performing.**

GEMARA The Gemara asks: With regard to any small amount of building, for what use is it suited? Rabbi Yirmeya said: **As a poor person digs a hole in the floor of his house in which to hide his coins.** Digging a hole in the floor of a house is an act of building. The corresponding situation in the Tabernacle^N was as those who sewed curtains in the Tabernacle dug holes in which to hide their needles. Abaye said: **Since needles rust in the ground, they did not do so.** The Gemara seeks a different example of small-scale building that is significant. Rather, an example is that a poor person makes legs for a small stove to place a small pot on it. The corresponding situation in the Tabernacle was with regard to those who cooked herbs used to dye curtains, whose dyeing process was lacking a small amount for completion. At that point, it was not worth the effort to cook a large quantity of dye, and so they would make legs for a small stove upon which to place a small cauldron to cook a small bit of dye to finish the job.

Rav Aha bar Ya'akov said: **There is no poverty in a place of wealth.** In the Tabernacle, as in any public project, actions are not performed on a small scale or in parsimonious quantities; they were performed generously. Those who cooked dyes in the Tabernacle had no use for small crucibles. Rather, an example of significant small-scale building is a homeowner who has a small hole in his house and seals it. The corresponding situation in the Tabernacle was with regard to a beam that was set upon by a worm that bore a hole into it; one pours lead into the hole and seals it.

Shmuel said: **If one sets a stone in place on Shabbat, i.e., he takes a building stone and fixes it in place on the ground on Shabbat, he is liable for performing the prohibited labor of building.** The Gemara raises an objection to this from that which the Sages taught with regard to building on Shabbat. In a case where one puts down a stone and another one places the mortar, the one who places the mortar is liable for building. Apparently, the prohibition of building is only violated when mortar is added. Merely setting a stone in place is not enough to establish liability.

The Gemara answers: **And according to your line of reasoning, say the latter clause of that mishna^N where we learn that Rabbi Yosei says: And even if one lifted the stone and placed it on a top row of stones [dimos],¹ he is liable even without securing it with mortar.** Rather, apparently, there are three different kinds of building:⁴ **Bottom row, middle row, and upper row. The bottom row requires setting the stones in place and dirt to hold it in place. The middle row requires mortar as well. The upper row suffices with mere placement.**

NOTES

Anyone who performs a labor and his labor endures on Shabbat – העושה מלאכה ומלאכתו – מתקיימת בשבת: According to Rashi, the statement: Anyone who performs a prohibited labor and his labor endures on Shabbat, means that one performed an act on Shabbat that has a lasting effect. Other commentaries assert that the statement was made with regard to a person who performs a prohibited labor, the results of which remain in place throughout the Shabbat without any subsequent performance of the act (*Mayim Hayyim*).

The corresponding situation in the Tabernacle – דכוותה גבי משכן: In the Jerusalem Talmud a different approach to this issue is taken. There, the Gemara attempts to find the source for the primary category of building in the Tabernacle, rather than define the measure that determines liability for building. This is based on the fact that all of the measures are learned through tradition. According to what is stated in the Jerusalem Talmud, the building activity in the Tabernacle was the establishment of the beams. The problem is that the construction was temporary, which means it is less than ideal as the source for the primary category of labor. It is possible that this is the reason that in the Babylonian Talmud the Tabernacle's construction is not cited as the source for the primary category of building.

And according to your line of reasoning, say the latter clause of that mishna – וליטעמיך אימא סיפא: This is not particularly difficult, as the Gemara could have simply said that Shmuel holds in accordance with the opinion of Rabbi Yosei. Due to this problem, *Tosafot* emended the text. Some commentaries explain the Gemara as follows: According to your opinion that all types of building are the same, how can Rabbi Yosei say that merely placing a stone constitutes building? Rather, you must say that not all types of building are equal, and it depends on the position of the stone in the building (Rambam).

LANGUAGE

Top row of stones [*dimos*] – דימוס: From the Greek δόμος, *domos*, meaning, among other things, a row or a stack of stones in a building.

HALAKHA

How much must he build to be liable to bring a sin-offering – הבונה במה יבנה ויהא חייב: One who builds even the smallest amount on Shabbat is liable (Rambam *Sefer Zemanim, Hilkhos Shabbat* 10:12).

Kinds of building – דרכי בניה: One who sets a stone in place to serve as the foundation of a building is liable for striking a blow

with a hammer to complete the production process of a vessel. The stones that one lays on top of the first level must be secured with cement in order to create a liability for building. With regard to the top level of stones, if a stone is merely lifted up and placed into the cement, the builder is also liable (Rambam *Sefer Zemanim, Hilkhos Shabbat* 10:12, 18).

וְהַמְסִתָּת. מִסִּתָּת מְשׁוּם מֵאֵי מִיחִיב?
 רַב אָמַר: מְשׁוּם בּוֹנֶה, וְשִׁמּוּאֵל אָמַר:
 מְשׁוּם מַכָּה בַּפֶּטִישׁ. הָעוֹשֶׂה נֶקֶב בְּלוֹל
 שֶׁל תְּרִנְגוּלִים, רַב אָמַר: מְשׁוּם בּוֹנֶה,
 וְשִׁמּוּאֵל אָמַר: מְשׁוּם מַכָּה בַּפֶּטִישׁ.
 עֵייל שׁוֹפֵתָא בְּקוֹפִינָא דְמָרָא, רַב אָמַר:
 מְשׁוּם בּוֹנֶה, וְשִׁמּוּאֵל אָמַר: מְשׁוּם מַכָּה
 בַּפֶּטִישׁ.

וְצָרִיכָא, דְּאֵי אֲשַׁמְעִינן קַמִּיחָא –
 בְּהֵיא קֶאֱמַר רַב, מְשׁוּם דְּדִרְךָ בִּנְיָן בְּכָךְ.
 אֲבָל עוֹשֶׂה נֶקֶב בְּלוֹל שֶׁל תְּרִנְגוּלִים,
 דִּאִין דְּרִיךְ בִּנְיָן בְּכָךְ – אֵימָא מוֹדָה לִיה
 לְשִׁמּוּאֵל. וְאֵי אֲשַׁמְעִינן בְּהָא – בְּהָא
 קֶאֱמַר רַב, מְשׁוּם דְּדָמִי לְבִנְיָן, דְּעַבְדִּיה
 לְאִוִּירָא.

אֲבָל שׁוֹפֵתָא בְּקוֹפִינָא דְמָרָא, דִּאִין דְּרִיךְ
 בִּנְיָן בְּכָךְ – אֵימָא מוֹדָה לִיה לְשִׁמּוּאֵל.
 וְאֵי אֲשַׁמְעִינן בְּהָא – בְּהָא קֶאֱמַר
 שִׁמּוּאֵל, אֲבָל בְּהֵינךְ תִּרְתִּי – אֵימָא מוֹדָה
 לִיה לְרַב, צָרִיכָא.

בְּעָא מִינֵיהּ רַב נָתַן בַּר אוֹשַׁעִיא מְרַבִּי
 יוֹחָנָן: מִסִּתָּת מְשׁוּם מֵאֵי מִיחִיב? אַחֲוִי
 לִיה בִּידֵיהּ מְשׁוּם מַכָּה בַּפֶּטִישׁ. וְהָאֵין
 תִּנֵּן: הַמְסִתָּת וְהַמְכָּה בַּפֶּטִישׁ! אֵימָא:
 הַמְסִתָּת הַמְכָּה בַּפֶּטִישׁ.

תָּא שְׁמַע:

We learned in the mishna: **One who chisels**⁴ any amount is liable. The Gemara asks: With regard to **one who chisels, for which primary category of prohibited labor is he liable?** Rav said: He is liable **due to** the prohibited labor of **building**. And Shmuel said: He is liable **due to** the prohibited labor of **striking a blow with a hammer** to complete the production process of a vessel. They similarly disagreed with regard to **one who makes a hole in a chicken coop**.⁵ Rav said: He is liable **due to** the prohibited labor of **building**. And Shmuel said: He is liable **due to** the prohibited labor of **striking a blow with a hammer**. And similarly, with regard to **one who inserts a pin into the handle of a hoe**⁶ in order to secure the handle, Rav said: He is liable **due to** the prohibited labor of **building**. And Shmuel said: He is liable **due to** the prohibited labor of **striking a blow with a hammer**.

The Gemara comments: It is **necessary** for the Gemara to teach us that Rav and Shmuel disagreed in each of these cases because one could not be inferred from the other. **As, had the Gemara told us only the first case of chiseling, I would have said that it is specifically in that case that Rav said one is liable for building because it is a typical manner of building; however, with regard to one who makes a hole in a chicken coop, which is not a typical manner of building, say that Rav agrees with Shmuel that this is not subsumed under the rubric of the prohibited labor of building. And had the Gemara told us only about this case of making a hole in a chicken coop, I would have said that it is specifically in that case that Rav said one is liable for building, because it is similar to building, as people do so for ventilation in a chicken coop, just as they place windows in buildings.**

However, inserting a pin into the handle of a hoe, which is not a typical manner of building, say that Rav agrees with Shmuel that it is not subsumed under the rubric of the prohibited labor of building. Conversely, had the Gemara told us only about this case of inserting a pin into the handle of a hoe, I would have said that it is only in that case that Shmuel said that the action is not subsumed under the rubric of the prohibited labor of building; however, with regard to these other two cases of chiseling and making a hole in the coop, say that Shmuel agrees with Rav that they are subsumed under the rubric of the prohibited labor of building. Therefore, it was necessary to cite all three disputes.

Rav Natan bar Oshaya raised a dilemma before Rabbi Yoḥanan: With regard to **one who chisels, for which primary category of prohibited labor is he liable?** He indicated with his hand that he is liable for **striking a blow with a hammer**. The Gemara asks: **Didn't we learn in the mishna: One who chisels and one who strikes a blow with a hammer, indicating that they are two different prohibitions?** The Gemara answers: Emend this and say: **One who chisels** is liable due to the prohibition of **striking a blow with a hammer**.

Come and hear a proof that will resolve this dilemma from that which we learned:

HALAKHA

One who chisels – הַמְסִתָּת: One who chisels the slightest amount in stone is liable for striking a blow with a hammer to complete the production process of a vessel. This is according to Shmuel rather than Rav, because Rabbi Yehoshua ben Levi and Rabbi Yoḥanan agreed with Shmuel (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:18).

One who makes a hole in a chicken coop – הָעוֹשֶׂה נֶקֶב בְּלוֹל שֶׁל תְּרִנְגוּלִים: One who makes a hole in a chicken coop on Shabbat to let in light or air is liable for building. This is according to Rav's opinion, which is preferred over Shmuel's opinion in matters of ritual law.

Even though the Rambam wrote elsewhere that in this case one is liable for striking a blow with a hammer, it seems he thought that according to Rav, one is liable in this case both for striking a hammer blow and for building (*Leḥem Mishne*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:14, 23:1).

One who inserts a pin into the handle of a hoe – עֵייל שׁוֹפֵתָא בְּקוֹפִינָא דְמָרָא: One who inserts a pin into a utensil violates a derivation of the prohibited action of building and is liable (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:13).

NOTES

One who inserts a pin into the handle of a hoe – עֵייל שׁוֹפֵתָא בְּקוֹפִינָא דְמָרָא: The early commentaries questioned Rav's opinion, since the primary category of building does not apply to utensils. How could one who crafts a hoe be liable for building? Some commentaries explain that this principle means that the

primary category of building does not apply to reassembling utensils, but it does apply to fashioning a new utensil (Rashba; Ran). According to Rav Hai Gaon and Rabbeinu Ḥananel, there is no difficulty because Rav holds that the prohibition of building applies to utensils.

הקודח כל שהוא - חייב. בשלמא לרב - מיחוי במאן דחר חורתא לבניינא, אלא לשמואל לאו גמר מלאכה הוא! הכא במאי עסקינן - דבועיה ברמצא דפרולא, ושבקה בגוויה, דהיינו גמר מלאכה.

זה הכלל: זה הכלל לאתווי מאי? לאתווי דחק קפיא בקבא.

רבן שמעון בן גמליאל אומר המכה בקורנס על הסדן בו. מאי קעביד? רבה ורב יוסף דאמרי תרוניה: מפני שזאמן את ידו. קשו בה בני רחבה: אלא מעתה, הוא אומנתא בשבתא וגמר, הכי נמי דמיתייב? אלא אבוי ורבא דאמרי תרוניה: שכן מרדכי טפי משכן עושין בן. תניא נמי הכי, רבן שמעון בן גמליאל אומר: אף המכה בקורנס על הסדן בשעת מלאכה - חייב, שכן מרדכי טפי משכן עושין בן.

מתני' החורש - כל שהוא, המנבש והמקדס והמזוד כל שהוא - חייב. המלקט יעצים, אם לתקן - כל שהן, אם להיסק - כדי לבשל ביצה קלה. המלקט עשבים, אם לתקן - כל שהוא, אם לבהמה - כמלא פי הגדי.

גמ' למאי חזי? חזי לביורא דקרא. דכוותה גבי משכן - שכן ראוי לקלח אחר של סמנין.

"המנבש והמקדס והמזוד". תנו רבנן: התולש עולשין, והמזוד ירדים, אם לאכילה - בגזוגרת, אם לבהמה - כמלא פי הגדי, אם להיסק - כדי לבשל ביצה קלה, אם לייפות את הקרקע - כל שהן.

One who drills a hole of any size is liable. Granted, according to Rav, who said that one who makes a hole is liable due to the prohibited labor of building, here too, he should be liable because he **appears as one who is making a hole for the purpose of building**. However, according to Shmuel, drilling a hole is **not a completion of the labor**. The labor will be complete only when a stake or pin is inserted into the hole. Until he does so, he cannot be liable for completing the labor. The Gemara answers: **With what we are dealing here? With a case where one drilled a hole with an iron nail and left it inside the surface in which he drilled the hole. That is considered a completion of labor** because there is no intention to remove the nail from its hole.

We learned in the mishna that **this is the principle**: Anyone who performs a prohibited labor and his labor endures on Shabbat is liable. The Gemara asks: **What does the phrase: This is the principle, come to include?** The Gemara explains: It comes to include a case where one carved out a vessel with a capacity of half a kav [kefiza]¹ into a piece of wood in which it was possible to chisel a vessel with a capacity of a whole kav.² Since this labor endures on Shabbat and it can be used, it is considered a complete labor and he is liable.

We also learned in the mishna that Rabban Shimon ben Gamliel says: Even one who strikes an anvil with a sledgehammer is liable. The Gemara wonders: **What has he done** by striking the anvil that would render him liable? It was Rabba and Rav Yosef who both said in explanation: He is liable because he trains his hand for his work by striking the anvil. **The sons of a man named Rahava³ found this answer difficult**: If so, one who observed a craft being performed on Shabbat and learned to perform that craft through observation, would he also be liable? Only one who performs an actual labor on Shabbat is liable. Rather, it was Abaye and Rava who both said in explanation: He is liable, as those who flatten plates of metal for the Tabernacle⁴ do so. They would strike the anvil with the sledgehammer in order to straighten the sledgehammer's handle, which became crooked. **That was also taught in a baraita**. Rabban Shimon ben Gamliel says: Even one who strikes an anvil with a sledgehammer during his labor is liable, as those who flatten plates of metal for the Tabernacle do so.

MISHNA One who plows is liable for plowing any amount⁵ of land on Shabbat. One who weeds and removes grass on Shabbat, and one who removes dry branches⁶ and who prunes⁷ any amount is liable. With regard to one who gathers wood, if he did so to enhance the tree or the land, he is liable for any amount; if he did so for fuel, he is liable for collecting a measure equivalent to that which is used to cook an easily cooked egg. With regard to one who gathers grass, if he did so to enhance the plants or the land, he is liable for any amount; if he did so to feed an animal, he is liable for collecting a measure equivalent to a goat's mouthful.

GEMARA The Gemara asks: For what use is plowing any amount of land suited? The Gemara answers: It is suited for a single pumpkin seed. The corresponding situation in the Tabernacle was as it is suitable for planting a single stalk of herbs to make dyes.

We also learned in the mishna: One who weeds, and one who removes dry branches, and who prunes any amount is liable. The Sages taught that in a baraita: With regard to one who severs endives that grow like weeds, or who prunes⁸ reeds [zeradim];⁹ if he did so for human consumption, he is liable in the measure of a fig-bulk; if he did so for animal consumption, he is liable in a measure equivalent to a goat's mouthful. If he did so for fuel, he is liable for severing a measure equivalent to that which is used to cook an easily cooked egg. If he did so to enhance the land, he is liable for any amount.

LANGUAGE

Half a kav [kefiza] – קפיא: From the Middle Persian kabiz, a measurement of volume..

NOTES

One carved out a vessel with a capacity of half a kav into a piece of wood in which it was possible to chisel a vessel with a capacity of a whole kav – דחק קפיא: Rav Hai Gaon explained that this refers to one who makes a mark to indicate the measure of half a kav, which constitutes completion of a measuring vessel.

Those who flatten plates of metal for the Tabernacle – מרדכי טפי משכן: Some commentaries explain that Abaye and Rava do not disagree with Rabba and Rav Yosef. Rather, they explain their statement. Striking an anvil is indeed a form of training one's hand. Its purpose is not for the artisan to learn the trade but to steady his hand in performing the labor that he is performing (Rav Hai Gaon).

One who removes dry branches – והמקדס: According to the Rambam, this refers to a person who mows the grass that is visible but does not uproot it.

PERSONALITIES

The sons of Rahava – בני רחבה: Rahava of Pumbedita was an important disciple of Rav Yehuda. His two sons, Avimi and Aifa of Haifa, were also Sages and were known as the sharp ones of Pumbedita [harifei dePumbedita] (see tractate Sanhedrin 17b).

HALAKHA

שיעור – The amount of plowing for which one is liable – הרישה: One who plows even the smallest amount on Shabbat is liable (Rambam Sefer Zemanim, Hilkhot Shabbat 8:1).

One who weeds and one who removes dry branches and who prunes – והמנבש והמקדס והמזוד: One who removes weeds around the trunk of a tree or who uproots grass or who prunes branches on Shabbat in order to improve the land, violates a subcategory of the prohibition of plowing and is liable for any quantity of weeding, pruning, or removing branches (Rambam Sefer Zemanim, Hilkhot Shabbat 8:1).

שיעורי תולש – The amount for severing or pruning – ומזוד: One who uproots endives or cuts green shoots on Shabbat is liable. If the purpose is human consumption, then the legal measure for liability is the volume of a dried fig-bulk. If the purpose is for animal consumption, one is liable if the amount will fill a kid's mouth. If the purpose is to use the plants as fuel, one is liable if there is enough to cook a dried fig-bulk worth of a chicken egg. If his action is meant to improve the ground, the individual is liable for even the smallest amount (Rambam Sefer Zemanim, Hilkhot Shabbat 8:5).

BACKGROUND

Endives and reeds [zeradim] – עולשים וירדים: Endives are a type of Cichorium that has a variety of uses. Several types of this plant are cultivated for human consumption, and other edible items are extracted from their roots. Sometimes endives grow wild as weeds among other plants. The ge'onim defined zeradim as a type of edible reed that is planted for eating. When these plants harden they are used for kindling.

One who writes – הכותב: One who writes two letters on Shabbat is liable whether they are two different letters, or the same letter written twice intentionally, or two letters written in any language or script, or written in two different types of ink or paint (Rambam *Sefer Zemanim, Hilkhos Shabbat* 11:9–10).

Marking – רושם: One who creates two marks, shapes or signs on Shabbat is liable for writing even if the characters are not letters, as stated by Rabbi Yosei (Rambam *Sefer Zemanim, Hilkhos Shabbat* 11:17).

Writing in an atypical manner – כתיבה שלא בדרך: One who writes a prohibited legal measure on Shabbat by holding the writing instrument in his mouth, in his left hand, or in any other unusual manner, is not liable. A left-handed person is liable for writing with his left hand, but is not liable if he writes with his right hand. One who is ambidextrous is liable for writing with either hand (Rambam *Sefer Zemanim, Hilkhos Shabbat* 11:14).

אטו כולו לא לפות את הקרקע
נינהו? רבה ורב יוסף דאמר
תרויהו: באגם שנו. אביי אמר:
אמלו תימא בשדה דלאו אגם,
וכגון דלא קמכיון. והא אביי ורבא
דאמר תרויהו: מודה רבי שמעון
בפסיק רישיה ולא ימות! לא צריכא.
דקעביד בארעא דחבריה.

מתני' הכותב שתי אותיות, בין בימינו בין בשמאלו, בין משם אחד בין משתי שמות, בין משתי סמניות, בכל לשון – חייב. אמר רבי יוסי: לא חייבו שתי אותיות אלא משום רושם, שכן כותבין על קרשי המשכן, לידע איזו בן ויגו. אמר רבי יהודה: מצינו שם קטן משם גדול; שם משמעון ומשמאל, נח מנחור, דן מדניאל, גד מגדיאל.

גמ' בשלמא אימין ליחייב – משום דדרך כתיבה בכך, אלא אשמאל אמאי? הא אין דרך כתיבה בכך! אמר רבי ירמיה: באטר יד שנו. ותהוי שמאל ידיה כימין דכולי עלמא, ואשמאל – ליחייב, אימין – לא ליחייב! אלא אמר אביי: בשולט בשתי ידיו.

רב יעקב בריה דבת יעקב אמר: הא מני – רבי יוסי היא, דאמר: לא חייבו שתי אותיות אלא משום רושם. והא מדסיפא רבי יוסי היא, רישא לאו רבי יוסי כולה רבי יוסי היא.

The Gemara asks: Aren't all these done to enhance the land? Each stalk that a person uproots enhances the land. It was Rabba and Rav Yosef who both said in explanation: They taught this *baraita* with regard to swampland,ⁿ where grass is not uprooted to enhance the land. Abaye said: Even if you say that the *baraita* is referring to a field that is not a swampland, it can be referring to a case where one did not intend to enhance the land. The Gemara asks: However, is it not Abaye and Rava who both say that Rabbi Shimon, who holds that one is liable only for performing an intentional action, concedes that one is liable in a case of cut off its head, will it not die? In any case where the outcome is inevitable, as in this case where the land will be enhanced, one's lack of intention does not exempt him. The Gemara answers: Abaye's statement was only necessary in a case where one did so on another's land.ⁿ Since he did not intend for that outcome to eventuate and he derives no benefit from enhancing the land, he is not liable in that case.

MISHNA One who writesⁿ two letters on Shabbat, whether he did so with his right hand or his left, whether they were the same letter or two different letters, whether he did so using two different types of ink,ⁿ in any language, he is liable. Rabbi Yosei said: One is deemed liable for writing two letters only due to marking,ⁿ as they would write symbols on adjacent beams of the Tabernacle to know which beam was another beam's counterpart. Rabbi Yehuda said: We found that one is liable for writing even if he did not complete what he was writing, so that he wrote a small name that constituted part of a longer name, e.g., Shem [*shin mem*] from the name Shimon or from Shmuel; Noah [*nun het*] from Nahor; Dan [*dalet nun*] from Daniel; Gad [*gimmel dalet*] from Gaddiel. In all of these cases, the first two letters of the longer name constitute the shorter name.

GEMARA The Gemara questions the beginning of the mishna: Granted, for writing with the right hand let one be liable, as that is the typical manner of writing. However, for writing with the left hand, why is one liable? That is not the typical manner of writing.ⁿ Rabbi Yirmeya said: When the mishna taught that one who writes with his left hand is liable, they taught it with regard to one who is left-handed. The Gemara asks: And if so, let his left hand have the same legal status as everyone's right hand; for writing with his left hand, let him be liable, for writing with his right hand, let him not be liable. Rather, Abaye said: This mishna refers to an ambidextrous person, who is liable for writing with either hand.

Rav Ya'akov, son of the daughter of Ya'akov,ⁿ said: In accordance with whose opinion is this mishna? It is in accordance with the opinion of Rabbi Yosei, who said: One is deemed liable for writing two letters only due to marking. As such, one is liable for writing a letter even if he writes it imprecisely with his left hand. The Gemara asks: From the fact that the latter clause of the mishna is in accordance with the opinion of Rabbi Yosei, the first clause of the mishna is not in accordance with the opinion of Rabbi Yosei. The Gemara answers: That is not necessarily the case. The entire mishna is in accordance with the opinion of Rabbi Yosei,ⁿ and the attribution of his second statement was for emphasis alone.

NOTES

They taught this with regard to swampland – באגם שנו: A question was raised in *Tosafot*: Doesn't the same difficulty arise with regard to the mishna? Some explained: Since the mishna established that a person is liable for any amount of improvement, the measurements come to add liability for additional primary categories of labor, if he intended to perform the action for other purposes.

Where one did so on another's land – דקעביד בארעא דחבריה: One of the commentaries summarized the opinions of several of the authorities with regard to inevitable consequences of unintentional actions. If the inevitable consequence is detrimental to the individual, Rabbi Shimon permits its performance *ab*

initio. If one is indifferent to that consequence, he is not liable, while he would be liable if the consequence is beneficial.

Whether using two different types of ink – בין משתי סמניות: Rav Hai Gaon and the Rambam interpret this to mean two symbols that are not actual letters. Apparently, they accept the approach in the Jerusalem Talmud, which rules that it is prohibited because this *halakha* is in accordance with the opinion of Rabbi Yosei. In the Jerusalem Talmud, Rabbi Yosei holds that one is liable for writing the same letter in two languages, e.g., a Hebrew *alef* and a Greek *alpha*.

Son of the daughter of Ya'akov – בריה דבת יעקב: Rashi

explains that this Sage's father was an unworthy person. Therefore, he was referred to by his mother's worthy lineage.

The entire mishna is in accordance with the opinion of Rabbi Yosei – כולה רבי יוסי היא: Rashi explains that the *tanna* initially forgot who stated this *halakha* and when he remembered, he mentioned his name. Others explain that the *tanna* sought to cite Rabbi Yosei's statement unattributed, to indicate that the *halakha* is in accordance with his opinion. He then revealed the source of the *halakha* (*Hokhmah Manoah*).

"אמר רבי יהודה מצינו: אלא רבי יהודה שתי אותיות והן שני שמות הוא דמחייב, שתי אותיות והן שם אחד לא מחייב?

והתנא: "ועשה אחת" יכול עד שיכתוב כל השם, ועד שיארוג כל הבגד, ועד שיעשה כל הנפה – תלמוד לומר: 'מאחת'.

אי 'מאחת' יכול אפילו לא כתב אלא אות אחת, ולא ארג אלא חוט אחד, ולא עשה אלא בית אחד בנפה –

We learned in the mishna that Rabbi Yehuda said: We found that one is liable for writing even if he did not complete what he was writing, so that he wrote a small name that constituted part of a longer name. The Gemara asks: Rather, is that to say that according to Rabbi Yehuda, it is one who writes two letters that are two different types of letters who is liable; however, one who writes two letters that are one type of letter is not liable?

Wasn't it taught in a *baraita* that it is written: "When a leader sinned, and he unwittingly performed one of any of the commandments which the Lord his God commanded not to do, and is guilty" (Leviticus 4:22)? The Sages taught: I might have thought that one is not guilty until he performs a complete labor, e.g., until he writes the entire name that he intended to write, or until he weaves the entire garment, or until he crafts the entire sieve^h made from the reeds of the warp and the woof; therefore, the verse states: "A soul who sins unintentionally in any of the Lord's commandments which one shall not perform, and did an action from one of these" (Leviticus 4:2).

The emphasis on the phrase "from one" teaches that in order for one to be liable, it is sufficient that he perform only part of the prohibited labor. However, if that is derived from the use of the phrase "from one," I might have thought that one is liable even if he wrote only a single letter, or even if he wove only a single thread, or even if he crafted only a single eye of the sieve, i.e., arranging the reeds to create a warp, and then interweaving a single reed as a woof;

The amount of a labor that needs to be performed – שיעור מלאכות – If one intends to perform a prohibited labor on Shabbat and does the legal measure for which one is liable, he is in fact liable even if he did not complete the prohibited labor he set out to perform (Rambam *Sefer Zemanim, Hilkhot Shabbat* 1:14).

Perek XII

Daf 103 Amud b

תלמוד לומר: 'אחת'. הא כיצד: אינו חייב עד שיכתוב שם קטן משם גדול, שם משמעון ומשמואל, נח מנחור, דן מדניאל, גד מגדיאל. רבי יהודה אומר: אפילו לא כתב אלא שתי אותיות והן שם אחד – חייב, כגון: שש, תת, רר, גג, חח.

אמר רבי יוסי: וכי משום כותב הוא חייב? והלא אינו חייב אלא משום רושם, שכן רושמן על קרשי המשכן לידע איזו היא בן זוגו. לפיכך, שרט שריטה אחת על שני נסרין, או שתי שריטות על נסר אחד – חייב.

רבי שמעון אומר: "ועשה אחת" יכול עד שיכתוב את כל השם, עד שיארוג כל הבגד, עד שיעשה את כל הנפה – תלמוד לומר: 'מאחת', אי 'מאחת' – יכול אפילו לא כתב אלא אות אחת, ואפילו לא ארג אלא חוט אחד, ואפילו לא עשה אלא בית אחד בנפה – תלמוד לומר: 'אחת' הא כיצד: אינו חייב עד שיעשה מלאכה שפיוצא בה מתקיימת.

רבי יוסי אומר: "ועשה אחת" "ועשה הנזה" – פעמים שחייב אחת על כולו, ופעמים שחייב על כל אחת ואחת.

therefore, the verse states "one," which means one complete labor. How can the two phrases be reconciled? Rather it must be explained that one is liable only if he writes a small name that constitutes part of a longer name, e.g., Shem from the name Shimon or from Shmuel, Noah from Nahor, Dan from Daniel, Gad from Gaddiel. Rabbi Yehuda says: One is liable even if he wrote only two letters that are one type of letter, e.g., shesh [shin shin], tet [tav tav], rar [reish reish], gag [gimmel gim-mel], hah [het het].

Rabbi Yosei said: And is one liable due to the labor of writing? Isn't one liable only due to the prohibition of marking,ⁿ as they would write symbols on adjacent beams of the Tabernacle to know which beam was another beam's counterpart? Therefore, one who made a single scratch on two boards, or two scratches on a single board, is liable.

Rabbi Shimon says: The verse states, "When a leader sinned, and he unwittingly performed one of any of the commandments which the Lord his God commanded not to do, and is guilty" (Leviticus 4:22), and from the word one, I might have thought that one is not guilty until he performs a complete labor, e.g., until he writes the entire name that he intended to write, or until he weaves the entire garment, or until he crafts the entire sieve made from the reeds of the warp and the woof; therefore, the verse states "from one." However, if that is derived from the use of the phrase "from one," I might have thought that one is liable even if he wrote only a single letter, or even if he wove only a single thread, or even if he crafted only a single eye of the sieve. Therefore, the verse states "one." But how can we reconcile the two phrases? One is only liable for performing a labor that is of the type that endures. In that case it is considered a complete labor.

Rabbi Yosei says that the verse states: "And did an action from one of these" (Leviticus 4:2). This unusual expression indicates repetition: And he performed one, and he performed these. From here it is derived that at times one is liable to bring one sin-offering for them all, and at times one is liable to bring several offerings, one for each and every one.

NOTES

משום – Due the prohibition of marking – רושם: In the Jerusalem Talmud there is an expansion of this topic explaining that these marks were made to indicate the designated place of each beam in the Tabernacle. Even though all the beams were of equal size, it was not appropriate to align them randomly. It is also explained there that according to Rabbi Yosei they would draw diagonal lines on the two beams, which were aligned when the beams were placed together. According to the Rambam, the halakhic difference between writing and marking is that Rabbi Yosei enumerates marking as an independent primary category of labor, and says that one who makes two marks is liable for violating a primary category of labor. Others explain that if the prohibition itself is marking, then one would be liable even when no actual letters are written (*Me'iri*).

אפילו לא – Even if he wrote only two letters – כתב אלא שתי אותיות: One who writes two letters on Shabbat is liable, even if they are identical letters. However, if one wrote two letters that cannot be combined to form an actual word then he is not liable, as stated by Rabbi Yehuda (*Maggid Mishne*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 11:10).

One who tans – המעבד: One who tans enough leather on Shabbat to fashion an amulet is liable. The Gemara states that one is liable for tanning any quantity in order to express the fact that Rabbi Shimon's opinion should not be followed (*Tosafot*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 11:5).

One who draws any size form on a vessel – תצור בכלי צורה כל שהוא: One who forms any figure, even a partial one, on a vessel is liable for the primary category of labor of striking a blow with a hammer to complete the production process of a vessel (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:16).

Subcategories – תולדות: One who performs an action that is a subcategory of a primary category is liable just as if he had violated the primary category of labor (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 7:7).

NOTES

It appears in standard amulets – דאיתיה בגלטרין: The *ge'onim* explain that various letters that come in pairs appear in the Act of the Divine Chariot, among them the double *alef*.

LANGUAGE

Amulets [*gelatorei*] – גלטרין: The origin and meaning of this word are unclear and are debated by the commentaries. Some authorities indicate that its origin is the Latin glossarium, meaning a dictionary or a collection of difficult words, from the Greek γλῶσσα, *glossa*, meaning tongue. Other linguists state that it comes from the Latin caelatura, meaning a carving or engraving. Still other commentaries assert that it is a shortened version of the Latin sigillatura, meaning embossed, furnished or adorned with little images or figures. According to an ancient explanation, sigillatura is an abbreviation of the phrase singulae literae, meaning single letters, and was later contracted further into sigla.

קתני מיהא, רבי יהודה אומר: אפילו לא כתב אלא שתי אותיות והן שם אחד – חייב! לא קשיא, הא – דידיה, הא – דרביה. דתניא, רבי יהודה אומר משום רבן גמליאל: אפילו לא כתב אלא שתי אותיות והן שם אחד – חייב, כגון: שש, תת, רר, גג, חח.

ורבי שמעון היינו תנא קמא! וכי תימא: אלף אלף דאזרך איבא ביניהו; דתנא קמא סבר: אלף אלף דאזרך לא מחייב, ורבי שמעון סבר: כיון דאיתיה בגלטרין בעלמא – חייב. למימרא דרבי שמעון לחומרא?

והתנא: הקודח כל שהוא – חייב. המגרד כל שהוא, המעבד כל שהוא, הצור בכלי צורה כל שהוא, רבי שמעון אומר: עד שיקדח את כולו, עד שיגרוך את כולו, עד שיעבד את כולו, עד שיצור כולו.

אלא, רבי שמעון הא אתא אתא לשמעין: עד שיכתוב את השם כולו. ומי מצית אמרת הכי? והתנא, רבי שמעון אומר: 'ועשה אחת' יכול עד שיכתוב את השם כולו – תלמוד לומר: 'מאחת'! תריץ ואימא הכי: יכול עד שיכתוב את הפסוק כולו – תלמוד לומר: 'מאחת'.

רבי יוסי אומר: 'ועשה אחת' 'ועשה הנה', פעמים שחייב אחת על כולו, ופעמים שחייב על כל אחת ואחת.

אמר רבי יוסי ברבי חנינא: מאי טעמא דרבי יוסי – 'אחת' 'מאחת' 'הנה' 'מהנה', אחת שהיא הנה, והנה שהיא אחת.

'אחת' – שמעון, 'מאחת' – שם משמעון. 'הנה' – אבות, 'מהנה' – תולדות. אחת שהיא הנה – ודון שבת ושגגת מלאכות, הנה שהיא אחת – שגגת שבת ודון מלאכות.

The Gemara returns to the matter of the *baraita*: In any event, it was taught that Rabbi Yehuda says: One is liable even if he only wrote two letters^H that are one type of letter; he does not insist that one is liable only if he writes two different letters. The Gemara answers: This is not difficult. This opinion is his own, and that other opinion is that of his teacher, as it was taught in a *baraita*: Rabbi Yehuda says in the name of Rabban Gamliel: Even if one only wrote two identical letters, forming words such as *shesh, tet, rar, gag*, or *hah*, he is liable. That is Rabban Gamliel's opinion, but Rabbi Yehuda himself holds that one is only liable for writing two different letters.

The Gemara asks: The opinion of Rabbi Shimon in the *baraita* is identical to the opinion of the first *tanna*. And if you say that there is a practical difference between their opinions in the case of the letters *alef alef* in a word such as *a'azerkha* (Isaiah 45:5), in that the first *tanna* holds that if one wrote the letters *alef alef* of the word *a'azerkha* he is not liable because the two letters do not spell a complete word, and Rabbi Shimon holds that since that combination of letters appears in standard amulets [*gelatorei*]^{NL} he is liable because this writing is considered to be enduring; is that to say that the opinion of Rabbi Shimon tends to stringency in this matter?

Wasn't it taught in a *baraita*: One who drills a hole of any size on Shabbat is liable, one who scrapes and smooths posts or parchments in any amount is liable, one who tans^H any amount of an animal hide is liable, one who draws any size form on a vessel^H is liable? Rabbi Shimon says: One is liable only if he drills the entire hole that he intended to drill, or if he scrapes the entire post or parchment that he intended to scrape, or if he tans the entire hide that he intended to tan, or if he draws the entire form that he intended to draw. Clearly, Rabbi Shimon's opinion is the lenient one.

Rather, Rabbi Shimon comes to teach us this: It is considered writing that endures only if he writes the entire name. The Gemara asks: And how can you say this? Wasn't it taught in a *baraita* that Rabbi Shimon says: From the phrase "and he performed one" I might have thought that one is liable only if he writes the entire name; therefore, the verse states "from one." Apparently, he does not require that the entire word be written in order to be liable. The Gemara answers: Resolve the contradiction between these statements and say this: I might have thought that one is liable only if he writes the entire verse that he intended to write; therefore, the verse states "from one." One is liable for writing less than that. However, one is certainly not liable for writing less than a complete word.

The *baraita* cites that Rabbi Yosei says that the verse states: "And did an action from one of these." This unusual expression indicates repetition and it is as if it says: And he did one, and he did these. From here it is derived that at times one is liable to bring one sin-offering for them all, and at times one is liable to bring several offerings, one for each and every one.

And Rabbi Yosei, son of Rabbi Hanina, said: What is the reason for Rabbi Yosei's opinion? Since the verse says "from one" and "of these," Rabbi Yosei detects both a restriction, i.e., "from" and "of," an amplification based on superfluous expressions, as it would have been sufficient for the verse to say "one" and not "from one," and it would have been sufficient to say "these" instead of "of these." The repetitive language teaches that there are cases of one that is these and cases of these that are one.

Similarly, Rabbi Yosei explained that had the verse said "one," the conclusion would have been that one is only liable for performing a complete transgression, e.g., writing the name Shimon on Shabbat. "From one" teaches that one is liable even if he does not complete the intended action, e.g., writing Shem from Shimon. "These" refers to the transgressions themselves, e.g., the primary categories of labor prohibited on Shabbat. The words "from these" teach that even subcategories^H are included. The Gemara illustrates the case of one that is these. One was aware that he was in violation of the prohibition of Shabbat but not aware that the individual labors were prohibited. In that case, if he performed several prohibited labors during this lapse of awareness, he is liable to bring a sin-offering for each violation. These that are one refers to a case where one was unaware that he was in violation of the prohibition of Shabbat but he was aware that the individual labors were prohibited. In that case, he is liable to bring only one sin-offering for all of the prohibited labors.

”אָמַר רַבִּי יְהוּדָה מְצִינוּ שֵׁם קָטָן
מִשֵּׁם גָּדוֹל.” מִי דָמִי? מֶ”ם דָּשֵׁם
סָתוּם, מֶ”ם דְּשָׁמְעוֹן פְּתוּחַ. אָמַר רַב
חֲסִידָא: זֹאת אוֹמְרָת, סָתוּם וְעֶשְׂאוֹ
פְּתוּחַ – בְּשׂוֹר.

We learned in the mishna that **Rabbi Yehuda said: We found** that one is liable for writing even if he did not complete what he was writing and wrote **a small name** that constituted part of a **longer name**, e.g., Shem from Shimon. The Gemara asks: **Is it similar?** The *mem* in **Shem** is closed and the *mem* in **Shimon** is open. **Rav H̥isda said: That is to say that a closed letter that one rendered open is valid** even in writing a Torah scroll, and it is not considered an irregularity in the writing. Therefore, one is liable for writing an open letter instead of a closed one.

מִיתֵעִי: וּכְתַבְתֶּם – שְׁתֵּאֵל כְּתִיבָהּ
תָּמָה; שְׁלֹא יִכְתּוּב אֶלְפִין עֵינִי,
עֵינִי אֶלְפִין, בֵּיתִין כִּפּוֹן, כִּפּוֹן בֵּיתִין,
גִּמְוִן צִדִּין, צִדִּין גִּמְוִן, דְּלִתִּין יִרְשִׁין,
יִרְשִׁין דְּלִתִּין, הִיהִין חִיתִין, חִיתִין
הִיהִין, וְוִין יוֹדִין, יוֹדִין וְוִין, וְוִין נוֹנִין,
נוֹנִין וְוִין, טִיתִין פִּיפִין, פִּיפִין טִיתִין,

The Gemara raised an objection from a *baraita* that interprets the verse: “**And you shall write them** on the doorposts of your house and on your gates” (Deuteronomy 6:9). “And you shall write them [*ukhtavtam*]” means **that it should be perfect writing** [*ketiva tam-ma*]^H with no mistakes, and clear writing. This means that **one should not write an *alef* as an *ayin*,^{HN} an *ayin* as an *alef*, a *beit* as a *kaf*, a *kaf* as a *beit*, a *gimmel* as a *tzadi*, a *tzadi* as a *gimmel*, a *dalet* as a *reish*, a *reish* as a *dalet*, a *heh* as a *het*, a *het* as a *heh*, a *vav* as a *yod*, a *yod* as a *vav*, a *zayin* as a *nun*, a *nun* as a *zayin*, a *tet* as a *peh*, a *peh* as a *tet*.**^B

כַּפּוֹפִין פִּשְׁטוּיִן, פִּשְׁטוּיִן כַּפּוֹפִין, מִימִין
סַמְכִין, סַמְכִין מִימִין, סְתוּמִין פְּתוּחִין,
פְּתוּחִין סְתוּמִין. פֶּרֶשׁ פְּתוּחָה לֹא
יַעֲשֶׂנָה סְתוּמָה, סְתוּמָה לֹא יַעֲשֶׂנָה
פְּתוּחָה. כְּתָבָה בְּשִׁירָה, או שְׁכָתָה
אֶת הַשִּׁירָה בְּיוֹצֵא בָּהּ, או שְׁכָתָה
שְׁלֵל בְּדוּן, או שְׁכָתָה אֶת הָאִזְכּוֹת
בְּזָבָה – הִרִי אֵלַי יִגְנוּ!

Similarly, one should not write **bent** letters like *kaf* and *nun* found in the middle of a word as **straight** letters like *kaf* and *nun* found at the end of a word, nor should one write **straight** letters as **bent** letters. A final *mem* should not be written like a *samekh*, and a *samekh* should not be written like a *mem*. A **closed** *mem* should not be written **open**, and an **open** one should not be written **closed**. Similarly, if there is an **open** paragraph in the Torah **one may not render it closed**,^H and **one may not render a closed paragraph open**.^B If **one wrote** a *mezuzah* or a Torah scroll **following the** Torah's format **for poetry**^{HNB} **or if one wrote poetry** like regular text, as a *mezuzah* is typically written, **or if one wrote without ink**^H but with another material, **or if one wrote the mentions** of God's names **in gold**,^N **all of these must be suppressed**. Apparently, one may not write closed letters as open letters, contrary to the statement of Rav Hisda.

HALAKHA

Perfect writing – כתיבה תמה: The text of a Torah scroll must be perfect, with no parts missing from the letters. The letters should also contain all of their decorative crowns or other adorning features (Rambam *Sefer Ahava*, *Hilkhot Tefillin* 1:19; *Shulhan Arukh*, *Orah Hayyim* 32:4 and *Yoreh De'a* 274:3, 5).

rule that one is permitted to repair such a scroll if possible (Rosh; Rashba), and this is the common practice (Rambam *Sefer Ahava, Hilkhot Tefillin* 7:11; *Shulhan Arukh, Yoreh De'a* 275:1).

One should not write an *alef* as an *ayin* – שְׁלֵמָה יִכְתֹּב אֲלֶיֶן – מְעִינָן: When writing the letters of a Torah scroll, one must take care not to switch similar looking letters. However, the text is only invalid if the letters are indecipherable (Rema; Rambam *Sefer Ahava*, *Hilkhot Tefillin* 1:19; *Shulḥan Arukh*, *Orah Ḥayyim* 36:1 and *Yoreh De'a* 274:5).

One wrote it following the format for poetry – **כתבה בשירה**: If one wrote a passage of the Torah in the format of a poetic song, or a poetic song in the regular format, the Torah scroll is invalid. Some authorities permit its use as long as the song was written differently than the rest of the text, even if its structure does not follow the tradition (*Tur*; Rambam *Sefer Ahava Hilkhot Tefillin* 7:11; *Shulhan Arukh. Yoreh De'at* 275:3).

An open paragraph one may not render it closed – פְּרָשָׁה
פְּתוּחָה לֹא יִשְׁנֶה סוּמָה: An open paragraph may not be written
as a closed one, nor may a closed paragraph be written as an
open one. If such an error was made, the scroll must be stored
away and not used. The Rambam writes that such a Torah scroll
is invalid and lacks the sanctity of a Torah, and is rather like a
printed Torah book used to teach children. Some authorities

If one wrote without ink – **כתב שלא בדי**: Holy scrolls are only written with black ink, and are invalid if even a single letter is written in a different color. This rule even applies to the tip of the letter yod (*Mishna Berura*). In addition, if one wrote any part of the Torah in gold, such as God's name, the scroll is invalid (Rambam *Sefer Ahava*, *Hilkhot Tefillin* 1:5; *Shulhan Arukh, Orach Hayyim* 32:3 and *Yoreh De'a* 271:6, 276:5).

NOTES

An *alef* as an *ayin* – אָלֶפֶן עֵינַן: According to Rashi and others, the reason that these letters might be mistaken for each other is because they have similar pronunciations. However, according to most early commentaries, it is because their written forms are similar. This is why one must make certain to write them differently (Ramban; see Rashba and others).

שְׂכֵתָב – If one wrote the mentions of God's names in gold – **שָׂת הָאֱלֹהִים בְּזָהָב**: The *halakha* is that any word written in gold invalidates a Torah scroll. In this context, the Gemara specifies the names of God because some people thought that it was acceptable to honor God's name in that fashion.

Some commentaries explain that while it is permitted to scrape other words written in gold off the parchment, the names of God may not be scraped away or erased. Therefore, any scroll with God's name written in gold must be suppressed and never used (*Melo HaRo'im*).

BACKGROUND

The similar letters – האותיות הדומות: A table of letters with similar forms. The letters here are written as they appear in the Dead Sea Scrolls.

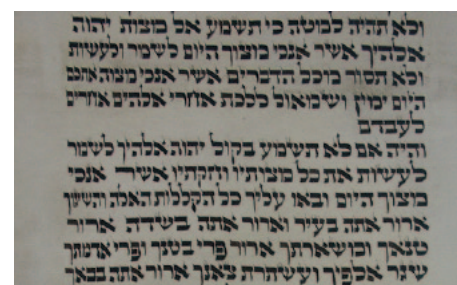
כ	ע	ב	ב
צ	ף	ג	ג
ך	ר	ד	ד
ח	ח	ה	ה
י	ו	ו	ו
פ	נ	ט	ט

Letters with similar forms

Open and closed paragraphs – פתוחות וקטומות: The paragraphs are depicted here as they appear in a Torah scroll. When a paragraph ends and a new paragraph begins on the same line, it is a closed paragraph [*setuma*]. When a paragraph ends and the rest of the line is left blank, it is an open paragraph [*petuha*].



Closed paragraph



Open paragraph

Poetry – שירה:

אִישׁ יִשְׂרָאֵל וּבְנֵי יִשְׂרָאֵל אֶת־הַשִּׁירָה הַזֹּאת לַיהוָה וַיֹּאמְרוּ
לְאֵלֹהִים אֲשֶׁר־יְהוָה בִּרְגָאָה גָּדָה
וְרָכְבוּ רָמָה בָּיִם: עֲזֹז וַחֲמַד לָהּ וַיְהִי־לִי
לְיִשׁוּעָה זֶה אֱלֹהֵי וַאֲנֹהוּ אֱלֹהֵי
אֲבִי וַאֲרַמְּמָנָהוּ: יְהוָה אִישׁ מִלְחָמָה יְהוָה
שָׁמוֹ: מִרְכָּבַת פָּרָעָה וַחֲיִלָּהּ יְהוָה בָּיִם וּמִבְּמִדְּ
שָׁלְשֵׁי טַבָּעִי בִּיטָסוֹף: תִּהְיֶה יָכִימֹז יִרְדּוּ בְּמִצּוֹת כְּבוֹד
אֲבִי: יִמְיֶנֶךָ יְהוָה נִאֲדָרִי בְּכֶל יִמְיֶנֶךָ
יְהוָה תִּרְעַץ אוֹיֵב: וּבִרְכָּב גְּאוֹנֶךָ תִּהְיֶה

Portion from the Song at the Sea written in the special format similar to the way bricks are placed, with one brick covering part of the two bricks below it. This is called *ariqah al qabei levana*.

NOTES

This is an allusion to the water libation from the Torah – מִכָּאן רָמְזוּ לְנִסּוּךְ הַמֵּיִם מִן הַתּוֹרָה – According to the majority of the Sages, the water libation was a *halakha* transmitted to Moses from Sinai and has no written source in the Bible. Other Sages sought to discover an allusion to this mitzva in the Torah.

הוא דָּאָמַר – כִּי הָאֵי תָנָא. דְּתַנְיָא, רַבִּי יְהוּדָה בֶּן בֶּתֵרִיָּה אָמַר: נֶאֱמַר בְּשֵׁנִי וְנִסְכֵּיהֶם, בְּשֵׁשִׁי וְנִסְכֵּיהֶם, בְּשִׁבְעִי בְּמִשְׁפָּטָם – הֲרֵי מִ"ם יו"ד מִ"ם – מִ"ם מִכָּאן רָמְזוּ לְנִסּוּךְ מֵיִם מִן הַתּוֹרָה.

וּמִדְּפִתּוֹת וְעֶשְׂאוֹ סָתוּם – כְּשׁוֹר, סָתוּם נָמִי, סָתוּם וְעֶשְׂאוֹ פֶתוּחַ – כְּשׁוֹר.

מִי דִמְיָ? פֶתוּחַ וְעֶשְׂאוֹ סָתוּם

The Gemara answers: Rav H̥isda stated his opinion in accordance with the opinion of this *tanna*, as it was taught in a *baraita* that Rabbi Yehuda ben Beteira says: While on the rest of the days of Sukkot the verse employs the phrase: “And its libation [*veniska*]” on the second day it is stated: “And their libations [*veniskeihem*]” (Numbers 29:19) with an extra letter *mem*; on the sixth day, it is stated: “And its libations [*unsakhe’ah*]” (Numbers 29:31) with an extra letter *yod*. On the seventh day, instead of “according to the law [*kamishpat*]” employed on the other days, it is stated: “According to their laws [*kemishpatam*]” (Numbers 29:33) with an extra letter *mem*. Together these additional letters, *mem*, *yod*, and *mem*, form the word *mayim*, which means water. This is an allusion to the water libation from the Torah.^N On Sukkot, a water libation was poured onto the altar in addition to the wine libation that accompanied sacrifices throughout the year. However, here, the closed *mem* at the end of the word *veniskeihem* is interpreted as if it were an open *mem* and used as the first *mem* in *mayim*.

And from the fact that an open letter that one rendered closed is valid, in the case of a closed letter, too, a closed letter that one rendered open is valid. This homiletic interpretation supports Rav H̥isda’s opinion.

The Gemara rejects this comparison: Is it similar? If one rendered an open letter closed,

Perek XII

Daf 104 Amud a

NOTES

Mem, nun, tzadi, peh, kaf – מִנְצַדִּיךָ: The *ge'onim* ask why these letters are not listed in alphabetical order, i.e., *kaf*, *mem*, *nun*, *peh*, *tzadi*. One answer is that the order alludes to the words: From Your prophets [*min tzofayikh*].

The letters *mem* and *samekh* that were in the tablets – מִ"ם וְסָמֶךְ שְׂבִלּוּחוֹת – In the Jerusalem Talmud there is an opinion that even according to the opinion that the tablets were written in ancient Hebrew script, different from the present Hebrew alphabet, there were letters whose centers would have floated miraculously, e.g., the *ayin*, which resembles a circle.

– עֲלוּיִי קָא מַעֲלִי לִיהָ: דָּאָמַר רַב חֲסֵדָא: מִ"ם וְסָמֶךְ שְׂבִלּוּחוֹת בְּנִסְיָא הָיוּ עוֹמְדִין. אֲלָא סָתוּם וְעֶשְׂאוֹ פֶתוּחַ, גְּרוּעִי קָא מְגַרַע לִיהָ: דָּאָמַר רַבִּי יְרֵמְיָהּ, וְאִיתִימָא רַבִּי חִיָּא בַר אֲבָא: מִנְצַדִּיךָ צוֹפִים אֲמָרוּם.

וְתִסְבְּרָא? וְהִכְתִּיב: “אֵלֶּה הַמִּצְוֹת” – שְׂאִין הִנְבִּיא רִשְׁאֵי לְחִדּוּשׁ דְּבַר מִעֲתָה! אֲלָא: מִיָּהּ הָוֵא, מִיָּדָע לֹא הָוֵא יָדְעִין הֵי בְּאִמְצָע תִּיבָה הֵי בְּסוֹף תִּיבָה, וְאִתּוֹ צוֹפִים תִּקְנִינָהוּ. וְאִכְתִּיב, “אֵלֶּה הַמִּצְוֹת” – שְׂאִין הִנְבִּיא רִשְׁאֵי לְחִדּוּשׁ דְּבַר מִעֲתָה! אֲלָא: שְׂכָחוּם וְחִזְרוּ וַיִּסְדּוּם.

גּוֹפֵא, אָמַר רַב חֲסֵדָא: מִ"ם וְסָמֶךְ שְׂבִלּוּחוֹת בְּנִסְיָא הָיוּ עוֹמְדִין. וְאָמַר רַב חֲסֵדָא: כְּתָב שְׂבִלּוּחוֹת נִקְרָא מִבְּפָנִים וְנִקְרָא מִבְּחוּץ, כְּגוֹן “נְבוֹב” – בּוֹבָן, (רַבָּה – בַּהֲרָה) סָרוּ – וּרְסָ.

he elevates its status, as Rav H̥isda said: The letters *mem* and *samekh* that were in the tablets were standing miraculously. Each letter was chiseled all the way through the tablets. In that case, the segment of the tablets at the center of the *samekh* and final *mem*, letters that are completely closed, should have fallen. Miraculously, they remained in place. Consequently, rendering an open *mem* closed elevates its status. However, if one rendered a closed letter open, he diminishes its status, as Rabbi Yirmeya said, and some say that it was Rabbi H̥iyya bar Abba who said: The prophets instituted the difference between the open and closed forms of the letters *mem*, *nun*, *tzadi*, *peh*, *kaf*.^N Since the closed letters date back to the Ten Commandments, apparently the prophets introduced the open versions of the letters, which are therefore less significant.

The Gemara rejects this: And is that reasonable? Isn’t it written: “These are the commandments that the Lord commanded Moses to tell the children of Israel at Mount Sinai” (Leviticus 27:34). The word “these” underscores that a prophet is not permitted to introduce any new element related to the Torah and its mitzvot from here on. Rather, the prophets did not innovate these forms. Both the open and closed versions existed before then. However, people did not know which form appeared in the middle of a word and which form at the end of a word. And the prophets came and instituted their set positions. The Gemara asks: And still the question remains: Didn’t the Sages derive from the verse: “These are the commandments,” that a prophet is not permitted to introduce any new element from here on? How could they institute the position of the letters? Rather, over the course of time, the people forgot their positions in the words and the prophets then reestablished their positions. Apparently, closed letters are no more significant than the open ones.

The Gemara returns to discuss the matter itself. Rav H̥isda said: The letters *mem* and *samekh* that were in the tablets^N were standing miraculously. And furthermore, Rav H̥isda said: The writing on the tablets was read from the inside, from one side of the tablets, and read from the outside, the other side of the tablets, in reverse order. The Gemara cites words that appear elsewhere in the Bible: *Nevuv* was read as *bet*, *vav*, *bet*, *nun*; *rahav* as *beit*, *heh*, *reish*; and *saru* as *vav*, *reish*, *samekh*.

The letters *gimmel* and *dalet* – צורת האותיות ג-ד – The shape of the Hebrew letters *gimmel* and *dalet* in the script used for Torah scrolls, *mezuzot*, and *tefillin* [ketav stam]. The details that the Gemara mentions in its *midrashim* are easily apparent in this script.



Gimmel and dalet

The letters *kuf* and *reish* – אותיות ק-ר – The letters *kuf* and *reish* as they are written in the Sephardic script used for Torah scrolls [ketav stam]. These forms include the details mentioned in the midrash in our Gemara, such as the way they stand, their shape, and the crown on top of the letter *kuf*.



Kuf and reish

אמרי ליה רבנן יהושע בן לוי: אתו דרדקי האידינא לבי מדרשא ואמרו מילי דאפילו בימי יהושע בן נון לא איתמר בותיה: אלא ב"ת – אלא בינה, גימל דלת – גמול דלים, מאי טעמא פשוטה ברעיה דגימל לגבי דלת – שכן דרבו של גומל חסדים לרוץ אחר דלים. ומאי טעמא פשוטה ברעיה דדלת לגבי גימל – דלמיציה ליה נפשיה. ומאי טעמא מהדר אפיה דדלת מגימל – דליתן ליה בצניעה, כי היכי דלא ליכסוף מיניה.

ה"ו – זה שמו של הקדוש ברוך הוא, ו"ח ט"ו כ"ל – ואם אתה עושה בן, הקדוש ברוך הוא זן אותך, וזן אותך, ומטיב לך, ונותן לך ירושה, וקושר לך בתר לעולם הבא. מ"ם פתוחה מ"ם סתומה – מאמר פתוח מאמר סתום, נו"ן כפופה נו"ן פשוטה – נאמן כפוף נאמן פשוט.

ס"ע – סמוך עניים, לישנא אחרינא – סימני עשה בתורה וקנה אותה, פ' כפופה פ' פשוטה – פה פתוח פה סתום, צד"י כפופה וצד"י פשוטה – צדיק כפוף צדיק פשוט. היינו נאמן כפוף נאמן פשוט! הוסיף לך הכתוב כפופה על כפופתו, מכאן שתתנה התורה במנוד ראש.

קו"ף – קדוש, רי"ש – רשע. מאי טעמא מהדר אפיה דקו"ף מרי"ש? אמר הקדוש ברוך הוא: אין אני יכול להסתכל ברשע. ומאי טעמא מהדר תגיה דקו"ף לגבי רי"ש – אמר הקדוש ברוך הוא: אם חוזר בו אני קושר לו פתח במוותי. ומאי טעמא ברעיה דקו"ף תריגה – דאי הדר ביה ליעייל.

The Sages said to Rabbi Yehoshua ben Levi: Young students came today to the study hall and said things the likes of which were not said even in the days of Joshua bin Nun.^N These children who only knew the Hebrew alphabet interpreted the letters homiletically.

Alef beit means learn [*elaf*] the wisdom [*bina*] of the Torah.

Gimmel dalet means give to the poor [*gemol dalim*]. Why is the leg of the *gimmel* extended toward the *dalet*?⁸ Because it is the manner of one who bestows loving-kindness to pursue the poor. And why is the leg of the *dalet* extended toward the *gimmel*? It is so that a poor person will make himself available to him who wants to give him charity. And why does the *dalet* face away from the *gimmel*? It is to teach that one should give charity discreetly so that the poor person will not be embarrassed by him.

The children continued to interpret the letters.

Heh vav: That is the principal name of the Holy One, Blessed be He. *Zayin het, tet yod, kaf lamed*: And if you do so, the Holy One, Blessed be He, feeds [*zan*] you, and shows you favor [*han*], and bestows goodness [*meitiv*] upon you, and gives you an inheritance [*yerusha*], and ties a crown [*keter*] for you in the World to Come [*la'olam haba*].

The open *mem* and closed *mem* indicate that the Torah contains an open statement, understood by all, and an esoteric statement.

The bent *nun* and the straight *nun* at the end of a word refer to a faithful person who is bent [*ne'eman kafuf*] and is modest now, who will ultimately become a well-known faithful person [*ne'eman pashut*].^N

Samekh ayin: Support the poor [*semokh aniyyim*] to prevent them from falling further. Another version: Make mnemonic signs [*simanim aseh*] to remember the Torah and acquire it.

The bent *peh* and the straight *peh*: Sometimes one needs to have an open mouth [*peh patuah*] and speak, and sometimes one needs to have a closed mouth [*peh satum*].

The bent *tzadi* and the straight *tzadi* indicate that a righteous person who is bent and humble [*tzaddik kafuf*] now will ultimately become a well-known righteous person [*tzaddik pashut*] whose righteousness is apparent to all. The Gemara asks: That is identical to the interpretation of the bent and straight *nun*: *Ne'eman kafuf, ne'eman pashut*. The Gemara explains: The verse added the bending of the righteous person to the bending of the faithful person. From here it is derived that the Torah was given in an atmosphere of gravity. One must receive the Torah with a sense of awe and extreme humility.

The children continued:

Kuf: Holy [*kadosh*], referring to God.

Reish: A wicked person [*rasha*]. Why is the *kuf* facing away from the *reish*?⁸ This question was phrased euphemistically, as it is the *reish* that is facing away from the *kuf*. The Holy One, Blessed be He, said: I am unable look at a wicked person, i.e., the wicked person does not want to look toward God. And why is the crown of the letter *kuf* turned toward the *reish*? The Holy One, Blessed be He, said: If the wicked person repents his evil ways I will tie a crown for him like My own. And why is the leg of the *kuf* suspended and not connected to the roof of the letter? Because if the wicked person repents he can enter through this opening if he so desires.

NOTES

In the days of Joshua bin Nun – בימי יהושע בן נון – Several commentaries state that the Gemara mentions this era because it marked the beginning of midrash, when people began to interpret the Torah (Maharsha). Others maintain that Joshua is used as a defining point because the Torah describes Moses' disciple: "Joshua, the son of Nun, a young man, departed not out of the Tent" (Exodus 33:13). Nevertheless, there were teachings that were unknown in his time. The Gemara does not say that these did not exist during the time of

Moses because the Sages asserted that Moses received all of Torah knowledge from God, including all the innovative ideas of future students (*Ein Ya'akov*).

A faithful person who is bent...a well-known faithful person – נאמן כפוף נאמן פשוט: In the Jerusalem Talmud and in *Bereshit Rabba*, a midrash from Eretz Yisrael, it is taught that the two faithful ones [*ne'emanim*] are God and Moses. The Torah was given from one faithful one [*ne'eman*] to the other.

The opening in the *kuf* – הפתח בקוף – The statement that God provides an opening for the wicked person means that he need not exert himself in order to repent. That is Reish Lakish's explanation of the phrase: They support him (*Etz Yosef*).

The midrash on the letters – מדרשי האותיות – Apart from their value as the aggadic sections of the Talmud, these interpretations served as proof for the Sages with regard to the appropriate manner to form the letters. See the Rashba and the *Me'iri*, who discuss this at length.

BACKGROUND

Truth [*emet*] and falsehood [*sheker*] – אמת ושקר – The words truth [*emet*] and falsehood [*sheker*] as they are written in script used for Torah scrolls [*ktav stam*]. As is seen here, each of the letters in the word *emet* contains two legs or a base, whereas the letters of the word *sheker* each stand on a single leg.



Emet and sheker

Different orderings of the alphabet – אלפא ביתא – **שונות:** These various permutations of the alphabet were used, to some degree, in writing secret manuscripts of different kinds. They are alluded to in the Bible, and the Sages added to them and offered interpretations based on them. Still, their main function was as learning tools for children. Through these different letter combinations students were able to learn the proper letter shapes and not just their sequence.

וליעול בהך? מסייע ליה לריש לקיש, דאמר ריש לקיש: מאי דכתיב "אם ללצים הוא יליץ ולענוים יתן חן", בא ליטמא – פותחין לו, בא ליטהר – מסייעים אותו.

ש"ן – שקר, תי"ו – אמת. מאי טעמא שקר מקרבן מילה, אמת מרחקא מילה? שיקרא – שכית, קושטא – לא שכית, ומאי טעמא שיקרא אחדא בריעה קאי, ואמת מלבן לבונה? קושטא – קאי, שיקרא – לא קאי.

א"ת ב"ש – אותי תעב, אַתְּאוּה לֹא? ב"ש – בי לא חשק, שמי יחול עלי? ג"ר – גופו טימא, ארחם עליו? ד"ק – דלתותי נעל, קרני לא אגדע? עד כאן מדת רשעים;

אבל מדת צדיקים: א"ת ב"ש – אם אַתְּה בוש, ג"ר ד"ק – אם אַתְּה עושה בן גור בדוק, ה"ץ ו"ף – חציצה הוי בינך לאף, ו"ע ח"ס ט"ן – ואין אַתְּה מוֹדְעוּע מן השטן – י"ם כ"ל – אִמֵר [שֶׁר שָׁל] גִּיהֶנֶם לִפְנֵי הַקָּדוֹשׁ בְּרוּךְ הוּא: רְבוּנוּ שֶׁל עוֹלָם, לִיָּם בָּל!

אמר הקדוש ברוך הוא: אח"ס בט"ע גי"ף – אני חס עליהם מפני שבטענו בגי"ף, דכ"ץ – דכים הם, בנים הם, צדיקים הם, הליק – אין לך חלק בהן, ומרו"ן ש"ת – אִמֵר גִּיהֶנֶם לִפְנֵי: רְבוּנוּ שֶׁל עוֹלָם, מְרִי, וְנִיבִי מוֹדְעוּ שֶׁל שֶׁת!

אמר לו: א"ל ב"ם, ג"ן ד"ס, להיכן אוליכין – לגן הדס, ה"ע ו"ף – אִמֵר גִּיהֶנֶם לִפְנֵי הַקָּדוֹשׁ בְּרוּךְ הוּא: רְבוּנוּ שֶׁל עוֹלָם, עֲנִי אֲנֹכִי, ו"ץ ח"ק – הללו ירעו של יצחק, ט"ר י"ש כ"ת – טר, יש לי ביתות ביתות של גוים שאני נוהג לך.

The Gemara asks: **Let him enter through that opening**, as the *kuf* is open on both sides at the bottom.^N The Gemara answers: This supports the statement of Reish Lakish, as Reish Lakish said: **What is the meaning of that which is written: "If it concerns the scorners, He scorns them, and unto the humble He gives grace"** (Proverbs 3:34)? One who comes in order to become impure, i.e., to sin, they, in Heaven, provide him with an opening to do so, and he is not prevented from sinning. However, if he comes in order to become purified, not only is he allowed to do so, but they, in Heaven, assist him.

They further taught:

Shin: Falsehood [*sheker*]. **Tav:** Truth [*emet*].^B

Why are the letters of the word *sheker* adjacent to one another in the alphabet, while the letters of *emet* are distant from one another? That is because while falsehood is easily found, truth is found only with great difficulty. **And why do the letters that comprise the word *sheker* all stand on one foot, and the letters that comprise the word *emet* stand on bases that are wide like bricks? Because the truth stands eternal and falsehood does not stand eternal.**

The Gemara cites another midrash that also deals with the letters of the alphabet.^N This one uses a code in which the first letter is paired with the last letter, the second letter with the penultimate one, and so on [*alef tav, beit shin*].^B *Alef tav*, God said: If he despised Me [*oti ti'ev*] would I desire [*etaveh*] him? *Beit shin*: If he does not desire to worship Me [*bi*], shall My name [*shemi*] rest upon him? *Gimmel reish*: He defiled his body [*gufo*]; shall I have mercy [*arahem*] on him? The word comprised of the letters *gimmel* and *reish* in Aramaic means licentiousness. *Dalet kuf*: He locked My doors [*daltotai*], shall I not cut off his horns [*karnav*]? To this point, the Gemara interpreted the letters as referring to the attribute of the wicked.

However, with regard to the attribute of the righteous it is taught differently. *Alef tav, beit shin*: If you have shame [*ata bosh*], *gimmel reish, dalet kuf*: If you do so, you will reside [*gur*] in the heavens [*bedok*], as the verse says: "Who stretches out the Heavens like a curtain [*dok*]" (Isaiah 40:22). *Heh tzadi, vav peh*: There is a partition [*hatzitza havei*] between you and anger [*af*]. *Zayin ayin, het samekh, tet nun*: And you will not be shaken [*mizdaze'a*] by the Satan. *Yod mem, kaf lamed*: The minister of Gehenna said before the Holy One, Blessed be He: Master of the Universe, send the righteous as well into the sea to which all go [*yam kol*], Gehenna.

The interpretation of the alphabet continues with other combinations of letters. The Holy One, Blessed be He, said: *Alef het samekh, bet tet ayin, gimmel yod peh*: I have mercy on them [*Ani has aleihem*] because they spurned [*ba'atu*] adultery [*gif*]. The Gemara continues with this combination of the letters: *Dalet kaf tzadi*: They are pure [*dakkim*], they are honest [*kenim*], they are righteous [*tzaddikim*]. *Heh lamed kuf*: You have no portion [*helek*] with them, based on the interchange of the letters *het* and *heh*. *Vav mem reish zayin nun, shin tav*: The minister of Gehenna said [*amar*], based on *vav mem reish*, before Him: Master of the Universe, my Master [*Mari*], sustain me [*zaneini*] with the seed of Seth [*Shet*], which refers to all humankind, including the Jewish people.

The Holy One, Blessed be He, said to him using another configuration of the alphabet: *Alef lamed, beit mem*: Not with them [*al bam*], i.e., you will have no portion of them. *Gimmel nun, dalet samekh*: To where will I lead them? I will lead them to the garden of myrtle [*gan hadas*], i.e., the Garden of Eden. *Heh ayin, vav peh*: The minister of Gehenna said before the Holy One, Blessed be He: Master of the Universe, I am tired [*ayef anokhi*] and thirsty and need people to care for me. The Holy One, Blessed be He, responded: *Zayin tzadi, het kuf*: These are the descendants [*zaro*] of Isaac [*Yitzhak*]. *Tet reish, yod shin, kaf tav*: Wait [*tar*], I have groups upon groups [*yesh li kittot kittot*] of other nations that I will give you instead.

מתני' הכותב שתי אותיות בהעלם אחד - חייב. כתב בדיו, בסם, בסיקרא, בקומוס, ובקנקנתום, ובכל דבר שהוא רושם, על שני כותלי וויות, ועל שני לוחי פינקס והן נהגין זה עם זה - חייב. הכותב על בשרו - חייב. המסרט על בשרו - רבי אליעזר מחייב חטאת, וחכמים פוטרין.

כתב במשקין, במי פירות, באבק דרכים, באבק הסופרים, ובכל דבר שאינו מתקיים - פטור. לאחר ידו, ברגלו, בפיו, ובמרפיקו; כתב אות אחת סמוך לכתב, וכתב על גבי כתב, נתכוון לכתוב חית וכתב שתי וזינין, אחת בארץ ואחת בקורה, כתב על שני כותלי הבית, על שני דפי פנקס ואין נהגין זה עם זה - פטור. כתב אות אחת נוטריקון - רבי יהושע בן בתירא מחייב, וחכמים פוטרין.

גמ' דיו - דיוטא, סם - סמא, סקרא - אמר רבה בר בר חנה: סקרתא שמה. קומוס - קומא, קנקנתום - אמר רבה בר בר חנה אמר שמואל: חרתא דאושכפי.

ובכל דבר שהוא רושם. לאתויי מאי? לאתויי הא דתני רבי חנניא: כתבו במי טריא ואפצא - כשר. תני רבי חייא: כתבו באבך, בשחור, ובשיחור - כשר.

MISHNA One who writes two letters on Shabbat during one lapse of awareness is liable.

The following substances used as ink are explained in the Gemara. One is liable if he wrote with *deyo*, with *sam*, with *sikra*, with gum [*komos*],¹ or with copper sulfate [*kankantom*]¹ or with any substance that makes a mark.^{NH} If one wrote on two walls of a house that form a corner,^H or on two parts of a writing tablet, and the two items are read together, he is liable. One who writes on his flesh on Shabbat is liable. If one unwittingly scratches^H letters on his flesh on Shabbat, Rabbi Eliezer deems him liable to bring a sin-offering and the Sages deem him exempt.

If one wrote with liquids or with fruit juice, or if one drew letters with road dust, with scribes' dust that they use to dry the ink, or with any substance with which the writing does not endure, he is exempt. Similarly, if one wrote by holding the pen on the back of his hand,^H with his foot, with his mouth, or with his elbow; if one wrote only a single letter, even if it was adjacent to other preexisting writing; or if one wrote over other writing;^H if one meant to write the letter *het* and instead wrote the two halves of the *het* as two instances of the letter *zayin*; if one wrote one letter on the ground and one on a rafter; if one wrote one letter on two walls of a house, or on two parts of a writing tablet that are not read together, he is exempt. If one wrote one letter as an abbreviation^H representing an entire word, Rabbi Yehoshua ben Beteira deems him liable to bring a sin-offering, and the Rabbis deem him exempt.

GEMARA The Gemara defines the terms used in the mishna. *Deyo* is *deyota* made from soot. *Sam* is *samma*, which is yellow-tinged arsenic. *Sikra*, Rabba bar Hana said: It is called *sikreta* in Aramaic and is a lead-based red paint. *Komos* is *koma* in Aramaic, and it is an ink made with gum Arabic from the sap of a tree. *Kankantom*, Rabba bar Hana said that Shmuel said: This is the black substance used by cobblers, copper sulfate.

And we learned in the mishna that one who writes with any substance that makes a mark is liable. The Gemara asks: What does this statement come to include? The Gemara answers: It comes to include that which Rabbi Hananya taught with regard to writing a bill of divorce:^H If one wrote it with the juice of the fruit called *teriya*, or with gallnut juice instead of ink, it is valid. Similarly, Rabbi Hiyya taught: If one wrote a bill of divorce with lead, with soot (*ge'onim*), or with shoeblack, it is valid. Since those substances leave a permanent mark, one who writes with them on Shabbat is liable.

LANGUAGE

Gum [*komos*] – קומוס: From the Greek κόμμι, *komi*, and its genitive form κόμμεως, *komaos*, meaning tree sap. It specifically refers to gum arabic from the acacia tree known as *acacia arabica*. This sap is used to make strong inks, among other things.

Copper sulfate [*kankantom*] – קנקנתום: This word appears in other sources as *kalkantom* or *kalkantos*. It is from the Greek word χάλκανθος, *kalkanthos*, meaning copper sulfate (CuSO₄). It is used to make ink and shoe polish.

NOTES

Any substance that makes a mark – דבר שהוא רושם: In the Jerusalem Talmud an additional requirement is cited, according to which the surface upon which one writes must be one that endures. However, one who wrote on a surface that does not endure, e.g., on vegetable leaves and the like, is not liable.

HALAKHA

Substances used for writing on Shabbat – חומרי כתיבה בשבת: One is only liable to bring a sin-offering for writing on Shabbat if one uses an ink or material that leaves a lasting mark. However, if one uses a substance that erases or disappears, such as fruit juice, one is not liable. Nevertheless, such writing is still prohibited (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 11:15).

On two walls that form a corner – על שני כותלי וויות: One is liable to bring a sin-offering for writing two letters only if the letters are written in a way that they can be read together. If one writes them on two different surfaces such that they cannot be read together, one is not liable (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 11:11).

One who writes on his flesh...if one scratches – הכותב על

בשרו...המסרט: One who writes on his own flesh on Shabbat is liable, even though the writing will eventually be erased. One is not liable for scratching letters into one's own flesh (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 11:16).

On the back of his hand – לאחר ידו: One who writes on Shabbat using his mouth, elbow, or any other unusual method, is not liable (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 11:14).

If one wrote over other writing – וכתב על גב כתב: One who writes on top of existing writing on Shabbat is liable if he wrote with black ink over red ink [*sikra*]. However, if it is black ink on top of black ink, or red ink on top of red ink, or red ink on top of black ink, he is not liable. This is stated in the mishna here

and in the Gemara in tractate *Gittin* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 11:16).

If one wrote one letter as an abbreviation – כתב אות אחת – נוטריקון: If one wrote a single letter on Shabbat, he is not liable, even if it is clearly an abbreviation for an entire word (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 11:13).

Writing a bill of divorce – כתיבת גט: If one wrote a bill of divorce [*get*] using lead, soot, or *kankantom*, it is valid after the fact. One may use gallnut juice *ab initio* on a hide that was not tanned. Preferably, one should write a bill of divorce using only black ink (Rambam *Sefer Nashim*, *Hilkhot Gerushin* 4:1–2; *Shulhan Arukh*, *Even HaEzer* 125:1–3).

Ben Stada – בן סטדא: Many scholars have attempted to identify the ben Stada mentioned here. For a number of reasons, including the censorship that removed this passage from the Talmud, many people thought that this referred to Jesus of Nazareth. Yeshu Panaturi and Mary Magdala are mentioned in the Jerusalem Talmud. However, *Tosafot* has pointed out that chronologically this is impossible, because Pappos ben Yehuda was a well-known personality and interacted with Rabbi Akiva during his later years. The Gemara also relates his great jealousy of Rabbi Akiva's wife, which came to nothing. Therefore, according to these sources, ben Stada cannot be Jesus. It is also worth noting that in various places in uncensored editions of the Talmud, Jesus is mentioned by name, and there is no reason that he would not be named if he was indeed being referred to in this context. For these reasons, it seems that the ben Stada was one of the so-called prophets and leaders of one of the many breakaway sects of those times.

LANGUAGE

Ben Stada, the son of Pandeira – בן סטדא בן פנדירא: Attempts have been made to interpret the term *stada*, but no clear source for the word has been found. It seems that Pandeira comes from the Greek name *Pandaros*.

NOTES

This name is not ideal – אין השם מן המובהר: The Rabbis made this statement only according to the opinion of Rabbi Yehuda, as in their opinion, writing over existing letters does not constitute writing. However, even according to Rabbi Yehuda this is not a preferred manner of writing. This explanation appears in the Jerusalem Talmud (Rashba).

“המקרט על בשרו”: תנא, אמר להן רבי אליעזר לחכמים: והלא בן סטדא הוציא כשפים ממצרים בסריטה שעל בשרו! אמרו לו: שוטה היה, ואין מביאין ראיה מן השוטים. בן סטדא? בן פנדירא הוא! אמר רב חסדא: בעל-סטדא, בועל-פנדירא. בעל פפוס בן יהודה הוא! אלא, אמו סטדא. אמו מרים מגדלא שער נשיא הוא! אלא, כדאמרי בפומבדיתא סטת דא מבעה.

“כתב אות אחת סמוך לכתב”: מאן תנא? אמר רבא בר רב הונא: דלא רבי אליעזר, דאי רבי אליעזר – האמר: “אחת על האריג חייב”.

“כתב על גבי כתב”: מאן תנא? אמר רב חסדא: דלא רבי יהודה, דתנא: הרי שהיה צריך לכתוב את השם ונתכוון לכתוב יהודה, וטעה ולא הטיל בו דלית – מעביר עליו קולמוס ומקדשו, דברי רבי יהודה. וחכמים אומרים: אין השם מן המובהר.

תנא: כתב אות אחת והשלימה לספר, ארג חוט אחד והשלימה לבגד – חייב. מאן תנא? אמר רבא בר רב הונא: רבי אליעזר היא, דאמר: אחת על האריג – חייב. רב אשי אמר: אפילו תימא רבנן, להשלים שאני.

We learned in the mishna: If **one** unwittingly scratches letters on his flesh on Shabbat, Rabbi Eliezer deems him liable to bring a sin-offering and the Sages deem him exempt. **It was taught in a *baraita* that Rabbi Eliezer said to the Rabbis: Didn't the infamous ben Stada^p take magic spells out of Egypt in a scratch on his flesh? They said to him: He was a fool, and you cannot cite proof from a fool.** That is not the way that most people write. Incidentally, the Gemara asks: Why did they call him **ben Stada**, when he was the son of Pandeira?^l **Rav Hisha said: His mother's husband**, who acted as his father, was named Stada, but the **one who had relations** with his mother and fathered him was named Pandeira. The Gemara asks: Wasn't his mother's husband Pappos ben Yehuda? Rather, his mother was named Stada and he was named ben Stada after her. The Gemara asks: But wasn't his mother Miriam, who braided women's hair? The Gemara explains: That is not a contradiction. **Rather, Stada was merely a nickname, as they say in Pumbedita: This one strayed [*setat da*] from her husband.**

We learned in the mishna: If **one** wrote only a **single letter**, even if it was adjacent to other preexisting writing, he is exempt. The Gemara asks: **Who is the *tanna*** whose opinion is cited in the mishna? **Rava bar Rav Huna said: This *halakha* is not in accordance with the opinion of Rabbi Eliezer, as if it were in accordance with the opinion of Rabbi Eliezer, didn't he say: One who adds a single thread to a previously woven fabric is liable for weaving?** In his opinion, although a single thread or letter is insignificant in and of itself, one is liable because adding even a small measure to existing material is significant.

We learned in the mishna: If **one** wrote over other writing he is exempt. The Gemara asks: **Who is the *tanna*** whose opinion is cited in the mishna? **Rav Hisha said: This *halakha* is not in accordance with the opinion of Rabbi Yehuda, as it was taught in a *baraita*: If one needed to write the Tetragrammaton, the name of God, in a Torah scroll, and became confused and intended instead to write the name Yehuda,^h and while intending to write Yehuda he erred and omitted the letter *dalet*, thereby writing the name of God, he should do the following. **He passes a quill with more ink over the name and sanctifies it**, i.e., he writes it with the intention required when writing a holy name. **This is the statement of Rabbi Yehuda. And the Rabbis say: Even if he adds ink over what he wrote, this writing of God's name is not ideal.**ⁿ Apparently, according to Rabbi Yehuda, writing over other writing is considered writing anew.**

A *tanna* taught in a *baraita*: If one wrote a single letter and thereby completed a book,^h or if one wove a single thread and thereby completed an entire garment, he is liable. The Gemara asks: **Who is the *tanna*** whose opinion is cited in the *baraita*? **Rava bar Rav Huna said: It is the opinion of Rabbi Eliezer, who said: One who adds a single thread to a previously woven fabric is liable for weaving.** **Rav Ashi said: Even if you say that in accordance with the opinion of the Rabbis, one who does so to complete a garment is different.** Even if he is not liable for weaving, he is liable at least for striking a blow with a hammer to complete the production process of a vessel.

HALAKHA

One who needed to write the name of God and intended instead to write Yehuda – הרי שהיה צריך לכתוב את השם ונתכוון לכתוב יהודה: If one needed to write God's name and accidentally wrote the name Yehuda instead, he should turn the *dalet* into a *hey* and erase the final letter (*Shulhan Arukh, Yoreh De'a* 276:12).

כתב אות – If one wrote a single letter and completed a book – כתב אות והשלימה לספר: One who wrote a single letter and thereby completed an entire book, or wove a single thread that completed a garment, is liable for striking a blow with a hammer to complete the production process of a vessel (Rambam *Sefer Zemanim, Hilkhos Shabbat* 11:9, 9:18).

אמר רבי אמי: כתב אות אחת בטבריא ואחת בצפורי – חייב, בתיבה היא אלא שמחוסר קריבה. והתנן: כתב על שני בותלי הבית, ועל שני דפי פנקס ואין נהגין זה עם זה – פטור! התם מחוסר מעשה דקריבה, הכא – לא מחוסר מעשה דקריבה.

תנא: הגיה אות אחת – חייב. השתא כתב אות אחת – פטור, הגיה אות אחת חייב? אמר רב ששת: הכא במאי עסקינן – בגון שנטלו לגזו של חייית ועשאו שני זיינין. רבא אמר: בגון שנטלו לתגו של דלת ועשאו ריש.

תנא: נתכוין לכתוב אות אחת

Rabbi Ami said: If one wrote one letter on paper in Tiberias and one letter on paper in Tzippori,^{NH} he is liable because he performed a full-fledged act of writing that is lacking only in proximity. When the two pieces of paper are brought together he will have written two associated letters. The Gemara asks: Didn't we learn in the mishna: If one wrote one letter on two walls of a house, or on two parts of a writing tablet that are not read together, he is exempt? All the more so that this is the *halakha* with regard to one who wrote in two different cities. The Gemara answers: There, in the case of the parts of a tablet, there is the lack of an additional act of cutting or tearing to facilitate bringing the letters together. However, here, in the case of two cities, even though they are distant from one another, there is no lack of an additional act to facilitate bringing them together.

A *tanna* taught in the *Tosefta*: If one emended a single letter on Shabbat, he is liable. The Gemara wonders: Now, if one wrote a single letter on Shabbat he is exempt; is it possible that if one emends a single letter he is liable? Rav Sheshet said: With what are we dealing here? We are dealing with a case where one removed the roof of a *het*^B and transformed it into two instances of the letter *zayin*,^H effectively writing two letters with a single correction. Rava said: It is not necessarily referring to that specific case. It could even be referring to a case where one removed the protrusion from the back of a *dalet* and transformed it into a *reish*,^N thereby emending the written text. One who did so is liable for performing the prohibited labor of striking a blow with a hammer to complete the production process of a vessel.

A *tanna* taught: If one intended to write one letter on Shabbat

NOTES

One letter in Tiberias and one in Tzippori – אות אחת בטבריא ואחת בצפורי: Rav Hai Gaon explains, in the name of earlier commentaries, that Tiberias and Tzippori are adjacent cities and that one can walk from one to the other on Shabbat. The Gemara refers to one who wrote a large letter on the gate of Tiberias and another large letter on the gate of Tzippori, so that one who sees one letter after the other will understand that they are connected. In that case, it is as if the letters are read together and nothing further is necessary to bring them together.

One removed the protrusion from the back of a *dalet* and transformed it into a *reish* – שנטלו לתגו של דלת ועשאו ריש: In this case only a single letter is created; nevertheless, it is stated in the Jerusalem Talmud that one who does so is liable for erasing one letter, *dalet*, and writing another, *reish*.

HALAKHA

If one wrote one letter in Tiberias and one letter in Tzippori – כתב אות אחת בטבריא ואחת בצפורי: One who wrote a single letter in one location on something that can be moved on Shabbat and went that same day to another location where he wrote a second letter on a different object that can be moved on Shabbat is liable. This is because these two letters can be combined without performing another prohibited labor, as stated by Rabbi Ami (Rambam *Sefer Zemanim, Hilkhot Shabbat* 11:12).

One removed the roof of a *het* and transformed it into two instances of the letter *zayin* – לגזו של חייית ועשאו שני זיינין: If one divided the roof of the letter *het* on Shabbat and thereby turned it into two instances of the letter *zayin*, or turned one letter into two in any other way, is liable (Rambam *Sefer Zemanim, Hilkhot Shabbat* 11:13).

BACKGROUND

The letter *het* in Torah script – אות ה' בכתיבת סתם: This Torah script form of the letter *het* clearly illustrates the Talmud's point about dividing the letter into two letters.



Het that can be divided into two instances of the letter *zayin*

Perek XII

Daf 105 Amud a

ועלו בידו שתיים – חייב. והתנן: פטור! לא קשיא, הא – דבעי זייני, הא – דלא בעי זייני.

and managed to write two letters,^N he is liable. The Gemara asks: Didn't we learn in the mishna that one is exempt in that case? The Gemara answers: This is **not difficult**: That case where we learned that he is exempt is referring to a case where the letters **require crowns**.^N This is referring to a case where they do not require crowns, and he is liable. If the letters already had their requisite ornamentation and an individual separated them, it is as if he wrote two letters.

NOTES

Managed to write two letters – ועלו בידו שתיים: The question arises: Since he did not initially intend to perform the labor with a measure that determines liability, shouldn't he be exempt? It can be answered as follows: When one writes a single letter, it is fit to join another letter that may be written subsequently. Therefore, it is possible that he will be liable if that letter turns into two letters. That would not be the case if one throws an object less than the legal distance in the public domain. In that case, one is exempt for throwing an object less than the legal distance any number of times, and thus if one intended to throw such a distance he will always be exempt.

The letters require crowns – בעי זייני: The commentaries encountered difficulties in understanding this *halakha*. In addition to other problematic issues, the failure to include

crowns on the letters in a Torah scroll does not invalidate the scroll. Some explained that the Gemara is referring to one who wrote one letter that looks like two letters, but those two letters comprise the correct form. If further work is needed to render the letters legible, he is exempt. If they are complete, he is liable (Rabbeinu Hananel). Others explained that if the writer did not add the crowns, he is obviously not overly concerned with the letters. However, if one created two letters and then added the crowns, he is liable (*Tosefot Rid*). Yet others explained that in this context the word *ba'ei* does not mean require, but rather want. If the scribe wants to add ornamentation, he is not considered to have performed the complete labor of writing until he adds the crowns. However, the prohibited labor is not considered complete as long as that has not been done (Maharshah in the name of *Sefer Mitzvot Gadol*).

Abbreviation [notarikon] – נוטריקון: Related to the Latin notarius, which refers to things associated with scribes and secretaries. The Sages use it to refer to abbreviations and acronyms similar to those used by scribes when writing quickly.

NOTES

Wrote and gave – כתבת ונתת: The difference between the interpretation of the letters of the word *anokhi* as it is written or backwards is as follows. The word *anokhi* when read as it is written is an abbreviation meaning: A pleasant statement was written and given [*amira ne'ima ketiva yehiva*], meaning that the word of God was written and given. When the letters are read backward, the allusion is to the phrase: It was written, it was given, its statements are faithful [*yehiva ketiva ne'emanim amareha*]. This phrase means that the Torah was given in its complete written form, and its oral statements, i.e., the Oral Law, are faithful. The first reading emphasizes that the tablets of the law were written by the hand of God. The second reading of the word implies that the Torah was written to ensure the accuracy of its contents (Maharsha).

One letter in the morning, etc. – אחת שחרית וכו': From the Jerusalem Talmud it appears that the initial understanding of the Gemara was in accordance with Rashi's interpretation, namely, that the pause between the morning and the evening creates a lapse of awareness. In the final analysis, however, the conclusion there corresponds to the explanation of *Tosafot*.

HALAKHA

Awareness for half a measure – ידיעה לחצי שיעור: If a person unwittingly performs only half of the legal measure of a transgression that would otherwise require a sin-offering, only to once again unwittingly perform another half-measure of the same transgression, i.e., he becomes aware of the wrongdoing and then forgets what happened, he is exempt from a sin-offering. This is in accordance with the opinion of the Rabbis (Rambam *Sefer Korbanot*, *Hilkhot Shegagot* 6:8).

”כתב אות אחת נוטריקון, רבי יהושע בן בתייה מחייב וחכמים פוטרים.” אמר רבי יוחנן משום רבי יוסי בן זימרא: מנן ללשון נוטריקון מן התורה – שנאמר: כי אב המון גוים נתתיך, אב נתתיך לאומות, בחור נתתיך באומות, המון חביב נתתיך באומות, מלך נתתיך לאומות, ותיק נתתיך באומות, נאמן נתתיך לאומות.

רבי יוחנן ידיעה אמר: “אנכי” – נוטריקון: אנא נפשי כתיבת יהבית. רבנן אמרי: אמירה נעימה כתיבה יהיבה. איכא דאמרי, אנכי למפרע: יהיבה כתיבה נאמן אמריה.

דבי רבי נתן אמרי: “כי יר”ט הדרך לנגדי” יראה ראתה נטתה. דבי רבי ישמעאל תנא: “ברמ”ל” – בר מלא. רב אחא בר יעקב אמר: “והוא קללני קללה נמרצת” – נוטריקון: נואף הוא, מואבי הוא, רוצח הוא, צורר הוא, תועבה הוא.

רב נחמן בר יצחק אמר: “מה נדבר ומה נצטדק” – נכונים אנהנו, צדיקים אנהנו, טהורים אנהנו, דכים אנהנו, קדושים אנהנו.

מתני' הכותב שתי אותיות בשתי העלמות, אחת שחרית ואחת בין הערבים – רבן גמליאל מחייב, וחכמים פוטרים.

גמ' במאי קמיפלגי? רבן גמליאל סבר: אין ידיעה לחצי שיעור, ורבנן סברי: יש ידיעה לחצי שיעור.

We learned in the mishna If one wrote one letter as an abbreviation [notarikon]¹ representing an entire word, Rabbi Yehoshua ben Be-teira deems him liable to bring a sin-offering, and the Rabbis deem him exempt. Rabbi Yohanan said in the name of Rabbi Yosei ben Zimra: From where is it derived that the language of abbreviation is employed in the Torah? As it is stated: “Neither shall your name any more be called Abram, but your name shall be Abraham; for the father of a multitude of nations [av hamon goyim] have I made you” (Genesis 17:5). The verse itself contracts *av hamon* into Abraham [*Avraham*]. The words *av hamon* themselves are interpreted as an abbreviation: I have made you a father [*av*] for the nations, I have made you chosen [*bahur*] among the nations, I have made you beloved [*havi*] among the nations, I have made you king [*melekh*] for the nations, I have made you distinguished [*vatic*] for the nations, I have made you trusted [*ne'eman*] for the nations.

Rabbi Yohanan himself said that the word *anokhi* that begins the Ten Commandments is an abbreviation for: I myself wrote and gave [*ana nafshi ketivat yehavit*].² The Rabbis said it is an abbreviation for: A pleasant statement was written and given [*amira ne'ima ketiva yehiva*]. Some say the word *anokhi* can be interpreted backwards: It was written, it was given, its statements are faithful [*yehiva ketiva ne'emanim amareha*].

The school of Rabbi Natan said that there is another abbreviation in the Torah. In the verse: “And the angel of the Lord said to him: Why did you hit your donkey these three times? Behold I have come out as an adversary because your way is contrary [*yarat*] against me” (Numbers 22:32). *Yarat* is an abbreviation for: The donkey feared [*yare'a*], it saw [*ra'ata*], and it turned aside [*nateta*]. The school of Rabbi Yishmael taught: The word *karmel* in the verse: “And bread, and toasted grain flour, and toasted grain [*karmel*]” (Leviticus 23:14) means: A full kernel [*kar maleh*], i.e., the seed fills the stalk. Rav Aha bar Ya'akov said in King David's words: “And behold, with you is Shimi ben Gera from Benjamin, of Bahurim, who cursed me with a grievous [*nimretzet*] curse on the day that I went to Mahanaim” (1 Kings 2:8). The word *nimretzet* is an abbreviation for: He is an adulterer [*noef*], he is a Moabite [*Moavi*], he is a murderer [*rotze'ah*], he is an oppressor [*tzorer*], he is an abomination [*to'eva*].

Rav Nahman bar Yitzhak said that there is another abbreviation in the Bible: “And Judah said: What can we say to my master, what can we speak, and how can we justify [*nitzhadak*]” (Genesis 44:16), which stands for: We are honest [*nekhonim*], we are righteous [*tzad-dikim*], we are pure [*tehorim*], we are innocent [*dakkim*], we are holy [*kedoshim*].

MISHNA With regard to one who writes two letters on Shabbat in two separate lapses of awareness separated by a period of awareness that the day was Shabbat, writing one letter in the morning³ and one letter in the afternoon, Rabban Gamliel deems him liable to bring a sin-offering like someone who has unintentionally performed a full-fledged prohibited labor, and the Rabbis deem him exempt.

GEMARA The Gemara asks: With regard to what do they disagree? Rabban Gamliel holds: There is no awareness for half a measure.⁴ One is not liable to bring a sacrifice for half a measure; therefore, the fact that he became aware between performance of the two halves of the prohibited labor is of no significance. His awareness does not demarcate between one act of writing a letter and the second act of writing a letter with regard to liability to bring a sin-offering. And the Rabbis hold: There is awareness for half a measure. If an individual became aware of his transgression between the two parts of the prohibited labor, each individual part is independent of the other, and the two halves of the prohibited labor do not join together to create liability.

הדרן עלך הבונה

Summary of Perek XII

Among the categories of labor discussed in this chapter, the category of building was not definitively explained, so that some of the laws pertaining to this type of labor will be dealt with later in the tractate, when the laws of constructing a tent are fully explicated. Nevertheless, it was concluded in our chapter that the labor category of building includes any constructive act by means of which a structure is fashioned, either fully or partially, or a significant portion of a structure is fashioned. All of these acts are subsumed within the primary category of building.

The category known as plowing was defined as including any activity that repairs or improves the surface of the earth, whether it is plowing with a plowshare, pulling plants from the ground, or removing clumps of earth from the ground or replacing them elsewhere on the ground. All of the above constitute plowing.

No minimum measure is provided for the categories of building and plowing, so that one who performs them is liable for the most minimal conceivable action.

With regard to the primary category of writing, it was concluded that one is not liable for writing on Shabbat unless he has written in a usual and customary fashion, with materials that do not immediately fade but leave an enduring mark, and upon a solid writing surface. The minimum activity for which one is liable is the writing of two letters of the alphabet. With regard to the nature of these two letters, there is a dispute among the tannaitic Sages, but we conclude by accepting the opinion that any meaningful symbol of whatever type is considered a letter in this regard, so that a person who writes two symbols that can be joined together and read simultaneously is liable for the act of writing on Shabbat.

Introduction to **Perek XIII**

This chapter discusses two groups of primary categories of labor [*avot melakhot*].

One section of the chapter deals with the primary category of weaving and related categories of labor. All activities involved in the production of clothing from the spinning of the thread until the final utilization of the yarn; the arrangement of the loom; the weaving itself; and all other improvements made to the fabric, such as dyeing and cleansing it, can be combined by their very nature into one group of categories of labor. They are therefore treated in this chapter as if they were one unit.

The main topic of this chapter is not the description of the nature or parameters of these various labor categories. Rather, it is the establishment of minimal measures for which one is liable should he perform any of these types of labor on Shabbat.

The other section of this chapter deals with the category of trapping, specifically the definition of this category of labor and its parameters. The category of trapping is defined as the confinement of an animal within a space from which it cannot escape. First, however, it must be determined whether or not this prohibition applies to all animals, at which stage in the confinement process the trapping may be said to have been performed, and which methods of confinement may be considered typical modes of trapping for the various species of animals.

Once again, the question arises concerning an activity jointly performed by two or more individuals. This is especially relevant in this chapter, because trapping is generally not performed by a single individual acting alone, so that we must clarify how we are to view this matter.

מתני' רבי אליעזר אומר: האורג שלשה חוטין בתחילה, ואחת על האריג – חייב. וחכמים אומרים: בין בתחילה בין בסוף – שיעורו שני חוטין. העושה שתי בתי נרין בקירוס, בנפה בכברה ובסל חייב, והתופר שתי תפירות והקורע על מנת לתפור שתי תפירות.

גמ' כי אתא רבי יצחק תני: שתיים. והאנן תנן שלש! לא קשיא, הא – באלימי, הא – בקטיני. אמרי לה להאי גיסא, ואמרי לה להאי גיסא. אמרי לה להאי גיסא, אלימי תלתא – לא סתרי, תרי – סתרי. קטיני – תרי נמי לא סתרי, ואמרי לה להאי גיסא: קטיני, תלתא – ידיעי, תרי – לא ידיעי, אלימי – תרי נמי ידיעי.

תניא: האורג שלשה חוטין בתחילה, ואחד על האריג – חייב, וחכמים אומרים: בין בתחילה בין בסוף שיעורו שני חוטין ובשפה – שני חוטין ברוחב שלשה בתי נרין. הא למה זה דומה – לאורג צלצול קטן, שני חוטין ברוחב שלשה בתי נרין. והאורג שלשה חוטין בתחילה ואחד על האריג חייב – סתמא דרבי אליעזר.

תניא איך: האורג שני חוטין על הגס ועל האימרא – חייב, רבי אליעזר אומר: אפילו אחד. ובשפה שני חוטין ברוחב שלשה בתי נרין – חייב, הא למה זה דומה – לאורג צלצול קטן, שני חוטין על רוחב שלשה בתי נרין. והאורג שני חוטין על הגס ועל האימרא – חייב, סתמא דרבנן.

"העושה שני בתי נרין כו". מאי [בנירין]? אמר אבבי: תרתי בבתי נרא, וחדא בנירא. "בקיורוס" מאי בקיורוס? אמר רב: מצוביתא.

MISHNA Rabbi Eliezer says: One who weaves on Shabbat is liable to bring a sin-offering if he wove three threads at the beginning of something new, or if he adds one thread to a preexisting woven fabric. And the Rabbis say: Both at the beginning and at the end,¹ its measure for liability is two threads.² One who makes two meshes,³ i.e., ties the threads of the warp, attaching them to either the *nirin* or the *keiros*,⁴ which will be explained in the Gemara, in a winnow, sieve, or basket, is liable for making meshes. And one who sews is liable if he sews two stitches.⁵ And one who tears is liable if he tears enough fabric in order to sew⁶ two stitches to repair it.

GEMARA When Rabbi Yitzhak came from Eretz Yisrael to Babylonia, he taught that Rabbi Eliezer said: Two threads is the measure that determines liability for beginning a weave. The Gemara asks: Didn't we learn three in the mishna? The Gemara answers: This is not difficult, because this source is referring to thick threads and that source is referring to thin threads. Some say it this way, that one is liable when weaving two thick threads, and some say it that way, that one is liable when weaving two thin threads. The Gemara elaborates: Some say it this way: One who weaves thick threads, three threads will not unravel, but two will unravel. With regard to thin threads, two will also not unravel. And some say it this way: One who weaves thin threads, three threads are conspicuous, two are not conspicuous. With regard to thick threads, two are also conspicuous.

It was taught in a *baraita*: One who weaves three threads at the beginning or one thread onto a preexisting woven fabric is liable. And the Rabbis say: Both at the beginning and at the end, its measure for liability is two threads. And if one weaves a hem⁷ with a thread or color different from the original garment, he is liable for weaving two threads across a width of three meshes, i.e., three threads of the warp. Why is one liable in that case? To what is this similar? It is similar to weaving a small belt in which one weaves two threads across a width of three meshes, the width of the belt. And when it is taught in the *baraita*: One who weaves three threads at the beginning or one thread onto a preexisting woven fabric is liable, that unattributed *baraita* is in accordance with the opinion of Rabbi Eliezer.

It was taught in another *baraita*: One who weaves two threads onto a large fabric or onto the border⁸ of a fabric alongside the woof on Shabbat is liable. Rabbi Eliezer says: One is liable even if he weaves one thread. And along the edge of the warp, one who weaves two threads across a width of three meshes is liable. To what is this similar? It is similar to weaving a small belt in which one weaves two threads across a width of three meshes. The Gemara comments: When it was taught in the *baraita*: One who weaves two threads onto a large fabric or onto the border is liable, that unattributed *baraita* is in accordance with the opinion of the Rabbis.

We learned in the mishna that one who makes two meshes, attaching them to either the *nirin* or the *keiros*, is liable. The Gemara asks: What is the meaning of to the *nirin*? Abaye said: One ties two to the meshes, the thread of the warp, and ties one to the crosspiece, the thread that extends from the weaving rod. We learned in the mishna that one is liable for attaching the meshes to the *keiros*, and the Gemara asks: What is a *keiros*? Rav said: It refers to the slips, the parts that go up and down on a stationary loom and are parallel to the pole.

NOTES

בין בתחילה בין בסוף – Both at the beginning and at the end – The phrase the end does not mean at the end of the fabric, as in that case the Rabbis agree that he is liable for even a single thread. Rather, the end refers to any time that is not the beginning (Rashba).

על הגס ועל – Onto a large [gas] fabric or onto the border – The *ge'onim* have a variant reading: Gam instead of gas. This is a reference to the Greek letter gamma, indicating one who wove two threads, one lengthwise and one widthwise, in the shape of the gamma. With regard to the border of the fabric [imra], Rav Hai Gaon explains that this is the shape of a letter woven into a garment. It is called imra from the Hebrew word amira, meaning speech.

HALAKHA

The measure for weaving – שיעור אריגה – One who weaves two threads on Shabbat is liable for performing the prohibited labor of weaving, whether beginning to fashion a garment or whether continuing to work on an existing weave (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 9:18).

One who makes two meshes – העושה שתי בתי נרין – One is liable for making two meshes on Shabbat whether weaving cloth or weaving a winnow, sieve, and the like (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 9:16).

One who sews two stitches – התופר שתי תפירות – One who sews two stitches on Shabbat is liable when the ends of the thread are tied, keeping the stitches in place, as explained in Chapter Seven. If one sewed more than two stitches, he is liable even if the ends of the threads are not tied (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:9).

One who tears in order to sew – הקורע על מנת לתפור – One who tears a garment in order to sew at least two stitches in it is liable (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:10).

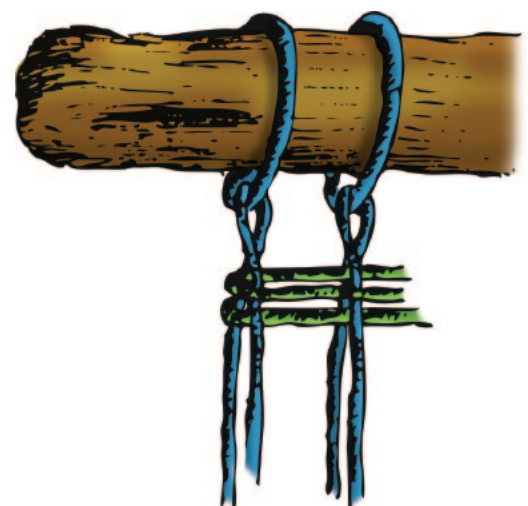
And if one weaves a hem – ובשפה – One who weaves the edge of a garment is liable as soon as he weaves two threads across a width of three meshes (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 9:18).

LANGUAGE

Keiros – קיורוס: From the Greek *καίρος*, *kairos*, a row of holes on a loom to which the threads of the warp are attached.

BACKGROUND

Two meshes – שני בתי נרין – The threads of the warp, the meshes, are tied to the loom, and the weaving of the fabric begins from those two meshes.



Meshes tied on a loom

וְהַתּוֹפֵר שְׁתֵּי תְּפִירוֹת. הָא תַּנְיָנָא בְּאַבוֹת מְלָאכוֹת: וְהַתּוֹפֵר שְׁתֵּי תְּפִירוֹת! מִשּׁוּם דְּקָבְעִי לְמִיתָנָא סִיפָא: וְהַקּוֹרֵעַ עַל מְנַת לְתַפּוֹר שְׁתֵּי תְּפִירוֹת, קָתְנִי נִמְי הַתּוֹפֵר. "וְהַקּוֹרֵעַ" – הָא נִמְי תַּנְיָנָא בְּאַבוֹת מְלָאכוֹת! אֱלֹא, מִשּׁוּם דְּקָבְעִי לְמִיתָנִי סִיפָא "הַקּוֹרֵעַ בְּחֻמְתּוֹ וְעַל מַתּוֹ" – מִשּׁוּם הֵכִי קָתְנִי [הַתּוֹפֵר שְׁתֵּי תְּפִירוֹת].

"וְהַקּוֹרֵעַ עַל מְנַת לְתַפּוֹר שְׁתֵּי תְּפִירוֹת." הִכִּי מְשַׁכַּחַת לָהּ?

And we also learned in the mishna that **one who sews on Shabbat** is liable if he sews **two stitches**. The Gemara asks: **We already learned that on the list of primary categories of prohibited labor: And one who sews two stitches is liable.** The Gemara answers: **Since the mishna wanted to teach in the latter clause: And one who tears in order to sew two stitches, it also taught the halakha of one who sews.** And one who tears, did we not also learn this in the mishna enumerating the list of **primary categories of prohibited labor**? Since the mishna wanted to teach a new *halakha* in the latter clause, namely: **One who tears in his anger or for his dead relative, therefore, it also taught the halakha of one who sews two stitches.**

With regard to what we learned in the mishna: **And one who tears in order to sew two stitches**, the Gemara asks: **Where do you find that case where it is necessary to tear a garment in order to sew it?**

Perek XIII

Daf 105 Amud b

NOTES

One who rends – הַקּוֹרֵעַ: In the Jerusalem Talmud the question is raised regarding the *halakha* in the mishna in light of other *halakhot* that indicate that if the mitzva is performed by means of committing a transgression, the mitzva is flawed. However, the conclusion in the Jerusalem Talmud is that there is a distinction between a case where the transgression is an integral part of the action and a case where the one performing the action committed a transgression.

דַּעבְדָּהּ כִּי בִּסְתָא.

The Gemara explains: It is found in a case where a pocketlike protrusion impedes sewing. Therefore, one tears the garment and tucks the protruding portion under the seam.

מתני' הַקּוֹרֵעַ בְּחֻמְתּוֹ, וְעַל מַתּוֹ; וְכָל הַמְּקַלְקֵל – פְּטוּרִין. וְהַמְּקַלְקֵל עַל מְנַת לְתַקֵּן – שִׁיעוּרוֹ כְּמִתְקָן. שִׁיעוּר הַמְּלִבֵּן וְהַמְּנַפֵּץ וְהַצּוֹבֵעַ וְהַטּוֹוֶה – כְּמֵלֵא רַחֵב הַסִּיט כְּפֹל וְהַאוֹרֵג שְׁנֵי חוּטִין – שִׁיעוּרוֹ כְּמֵלֵא הַסִּיט.

MISHNA One who rends^a his garment in his anger or in anguish over his dead relative is exempt. And anyone else who performs labors destructively^b on Shabbat is exempt. And one who performs a labor destructively in order to repair^c is liable, and his measure for liability is equivalent to the measure for one who performs that labor constructively. The measure that determines liability for one who whitens, or one who combs, or one who dyes, or one who spins^d wool is the full width of a double *sit*, which is the distance between the forefinger and the middle finger. And for one who weaves^e two threads, the measure that determines liability is one *sit*.

גמ' וּרְמִינָהּ: הַקּוֹרֵעַ בְּחֻמְתּוֹ וּבְאַבְלוֹ וְעַל מַתּוֹ – חַיִּיב, וְאֵף עַל פִּי שְׂמַחָלָא אֶת הַשֶּׁבֶת – יֵצֵא יָדֵי קְרִיעָה! לֹא קָשִׁיָּא, הָא – בְּמִת דִּידֵיהּ, הָא – בְּמִת דְּעֵלְמָא.

GEMARA We learned in the mishna: One who rends his garment in anger or in anguish over his dead relative is exempt. The Gemara raises a contradiction to this based on a *baraita*: **One who rends his garment in his anger or in his mourning or in his anguish over his dead relative^a is liable for performing a prohibited labor on Shabbat. And even though he desecrates Shabbat^b by tearing his garment, he nevertheless fulfilled his obligation of rending his garment in mourning.** Apparently, one is liable for rending his garment in anguish over the dead. The Gemara answers: This is **not difficult**, as **this** mishna, which states one is liable for rending his garment, is referring to **his own dead relative** for whom he is obligated to tear his garment. **And that** mishna, which states one is exempt for rending his garment, is referring to **any unrelated dead person**.

HALAKHA

Anyone who performs labors destructively – הַמְּקַלְקֵל: One who performs a destructive act on Shabbat is exempt (Rambam *Sefer Zemanim, Hilkhot Shabbat* 1:17).

One who performs a labor destructively in order to repair – הַמְּקַלְקֵל עַל מְנַת לְתַקֵּן: One who performs a destructive act in order to repair is liable. The measure that determines liability in that case is equal to the measure that determines liability when he performs that labor constructively (Rambam *Sefer Zemanim, Hilkhot Shabbat* 1:18).

The measure that determines liability for one who whitens,

or one who combs, or one who dyes, or one who spins – שִׁיעוּר הַמְּלִבֵּן וְהַמְּנַפֵּץ וְהַצּוֹבֵעַ וְהַטּוֹוֶה: The measure that determines liability for whitening wool or any other material, for dyeing, and for spinning thread on Shabbat is double the distance between the index and middle fingers (Rambam *Sefer Zemanim, Hilkhot Shabbat* 1:18).

One who weaves – וְהַאוֹרֵג: One is liable for weaving on Shabbat if he weaves two threads whose measure is double the distance between the index and middle fingers (Rambam *Sefer Zemanim, Hilkhot Shabbat* 1:17–18).

One who rends in his anger or in his mourning over his dead relative – הַקּוֹרֵעַ בְּחֻמְתּוֹ וּבְאַבְלוֹ וְעַל מַתּוֹ: Tearing an object in anger or in mourning is not considered a destructive act but a constructive one. One who does so is liable (Rambam *Sefer Zemanim, Hilkhot Shabbat* 1:17).

One who rends...even though he desecrates Shabbat – וְאֵף עַל פִּי שְׂמַחָלָא אֶת הַשֶּׁבֶת: One who rends his garment on Shabbat to initiate mourning for a deceased relative fulfills the obligation, even though he desecrated Shabbat in the process (*Shulhan Arukh, Yoreh De'a* 340:28).

תקום שמת – When a Torah scholar dies, everybody mourns his death. Upon hearing the news of his death, even up to thirty days later, everyone rends his garment. The custom of the Sages was each Sage rent a handbreadth for a colleague's death. In most countries, Jews are lenient in this matter and only rend their garments for Sages from whom they actually learned Torah, from either his lessons or his writings (Rambam *Sefer Shofetim*, *Hilkhot Evel* 9:11; *Shulḥan Arukh*, *Yoreh De'a* 340:7; Rema based on the Rosh).

ואי אדם – An upright person is one who is not suspected of transgressions or of failing to fulfill mitzvot. Rabbeinu Yona writes that this refers to one who actively seeks to fulfill the mitzva of loving-kindness (*Shakh*). One can be considered upright even if he is not a Torah scholar. When an upright person dies, one is obligated to rend his garment in mourning. Nevertheless, most authorities agree that this obligation only applies to those who were actually present at the time of death. However, others merely mourn his passing (Ran; *Hagahot Maimoniyot*; *Ra'avaya*; Rema; Rambam *Sefer Shofetim*, *Hilkhot Evel* 9:11; *Shulḥan Arukh*, *Yoreh De'a* 340:6).

בשעת יציאת – One who witnesses the death of any Jew is obligated to tear his clothing (Rambam *Sefer Shofetim*, *Hilkhot Evel* 9:11; *Shulḥan Arukh*, *Yoreh De'a* 340:5).

והא "מתו" קתני לעולם, במת ידיה, ובהנך דלאו בני אבילות ניהו. ואי חכם הוא – חיובי מיתייב, דתנא: חכם שמת – הכל קרוביו. הכל קרוביו סלקא דעתך? אלא אימא: הכל בקרוביו, הכל קרעין עליו, הכל חולצין עליו, הכל מברין עליו ברחבה! לא צריכא, דלאו חכם הוא.

The Gemara asks: **Didn't we learn in the mishna: Over his dead relative?** The Gemara answers: **Actually**, the mishna, which says that he is exempt, is referring to **his own dead**; however, it is referring to **those relatives who are not subject to the obligation of mourning by Torah law**. The Gemara asks: **And even so, if the dead person is a Torah scholar, one is obligated** to rend one's garment in anguish over his death, **as it was taught in a baraita**: When a Torah scholar dies,^H everyone is his relative. The Gemara asks: **Does it enter your mind that everyone is his relative? Rather, say: Everyone is considered to be like his relative**, in the sense that **everyone rends his garment in anguish over him**, and **everyone bares his shoulder over him in mourning**, and **everyone eats the mourner's meal over him in the public square** as mourners do. The death of a Torah scholar is a personal loss for every Jew. The Gemara answers: **It was only necessary** for the mishna to teach this *halakha* in a case where the dead person is not a Torah scholar.

ואי אדם כשר הוא – חיובי מיתייב, דתנא: מפני מה מתים בניו ובנותיו של אדם בשהן קטנים – כדי שיבכה ויתאבל על אדם כשר. כדי שיבכה, ערבונא שקלי מיניה? אלא: מפני שלא בכה והתאבל על אדם כשר. שכל הבוכה על אדם כשר – מוחלין לו על כל עונותיו, בשביל כבוד שעתה. לא צריכא, דלאו אדם כשר הוא.

The Gemara asks: **And if he was an upright person**,^{HN} aren't all those present at his death **obligated** to rend their garments over his death? **As it was taught in a baraita**: **Why do a person's sons and daughters die when they are young?** They die so that he will cry and mourn over the death of an upright worthy person. The Gemara asks: **They die so that he will cry? Is security taken from him in advance to ensure that he fulfills his obligation?** Rather, emend the statement and say: **It is because he did not cry or mourn over an upright person who died, as anyone who cries over an upright person who died, they forgive him for all his transgressions because of the honor he accorded to the deceased**. Nevertheless, it is difficult, as one is required to rend his clothing over the death of an upright person. The Gemara answers: **It was only necessary** for the mishna to teach this *halakha* in a case where the deceased was **not an upright person**.

ואי דקאי בשעת יציאת נשמה – חיובי מיתייב, דתנא, רבי שמעון בן אלעזר אומר: העומד על המית בשעת יציאת נשמה – חייב לקרוע, הא למה זה דומה – לספר תורה שנשרפה. לא צריכא, דלא קאי בשעת יציאת נשמה.

The Gemara asks: **And if one is standing close to the deceased when the soul leaves the body**,^H he is obligated to rend his garment, **as it was taught in a baraita**: Rabbi Shimon ben Elazar says: **One who is standing over the deceased at the time of the departure of the soul is obligated to rend his garment**.^N To what is this similar? It is similar to a **Torah scroll that was burned**.^N The Gemara answers: **It was only necessary** for the mishna to teach this *halakha* in a case where he is **not standing there at the time of the departure of the soul**.

תינוח – אלא חמתו אחמתו קשיא! חמתו אחמתו נמי לא קשיא. הא – רבי יהודה, הא – רבי שמעון. הא רבי יהודה, דאמר: "מלאכה שאין צריכה לגופה" – חייב עליה, הא רבי שמעון, דאמר: "מלאכה שאין צריכה לגופה פטור עליה".

The Gemara asks further: This works out well in terms of resolving the contradiction with regard to **his dead relative**. However, the contradiction between the ruling in the mishna that one who rends his garment in his anger is not liable, and the ruling in the *baraita* that one who rends his garment in his anger is liable, is still difficult. The mishna exempts one who rends garments in anger, while the *baraita* deems him liable. The Gemara answers: The contradiction between **his anger** in the mishna and **his anger** in the *baraita* is **also not difficult**, as this ruling in the *baraita* that deems him liable is in accordance with the opinion of **Rabbi Yehuda**, and that ruling in the mishna that exempts him is in accordance with the opinion of **Rabbi Shimon**. The Gemara elaborates: **This ruling in the baraita follows Rabbi Yehuda, who said that one who performs a prohibited labor on Shabbat that is not needed for its own sake is liable for performing it**. Therefore, one who rends his garment in anger is liable. **That ruling in the mishna which exempts him is in accordance with the opinion of Rabbi Shimon, who said that one who performs a labor that is not needed for its own sake is exempt for performing it**.

NOTES

An upright person – אדם כשר: According to most authorities, the obligation to rend one's garment in mourning a worthy person is only when one was present when he died. Therefore, the Gemara is saying that one who rends his clothing to mourn the death of an upright person went beyond his obligation and is praiseworthy. Consequently, when this is done on Shabbat, it is not considered a destructive act (Ritva).

Rabbi Shimon's opinion with regard to tearing – שיטת רבי שמעון: According to one approach, since after rending his garment upon the death of a relative, he may not sew it until the end of the

seven-day mourning period, it is considered a constructive labor that endures. Therefore, one is liable for doing so (Rashba).

A Torah scroll that was burned – ספר תורה שנשרפה: Rashi writes that a person's death is comparable to the burning of a Torah scroll. Just as one must rend his garment in mourning over the burning of a Torah scroll, so too, one must rend his garment over the passing of a Jew. Indeed, both the Torah and a Jew are metaphorically described as lamps and light in the following verses from Proverbs: "For a commandment is a lamp, and the Torah is light" (6:23) and "The soul of man is the lamp of the Lord" (20:27).

Because he assuages his anger – דקעביד נחת רוח ליצרו – Rav Hai Gaon has a variant reading: And is he liable? Therefore, the question becomes: Is a person liable for rending a garment and satisfying his evil inclination? That is destructive both to his garment and to his soul. In that case, one is certainly exempt (Ra'avad).

Anyone who is lazy in eulogizing a Torah scholar, it is fitting to bury him alive – המתעצל בהספדו של חכם – ראוי לקבורו בחייו. The punishment for one who is lazy in eulogizing is an example of a punishment that fits the crime. One who does not eulogize a Torah scholar treats the scholar as if he was alive in his grave and does not require eulogizing. Therefore, he deserves to be buried alive (Maharsha).

אימר דשמעת ליה לרבי יהודה במתקן, במקלקל מי שמעת ליה? אמר רבי אבין: האי נמי מתקן הוא, דקעביד נחת רוח ליצרו. וכהאי גוונא מי שרי? והתנא, רבי שמעון בן אלעזר אומר משום חילפא בר אגרא, שאמר משום רבי יוחנן בן נורי: המקרע בגדיו בחמתו, והמשבר כליו בחמתו, והמפזר מעותיו בחמתו – יהא בעיניך כעובד עבודה זרה; שכן אומנתו של יצר הרע, היום אומר לו "עשה כך" ולמחר אומר לו "עשה כך", עד שאומר לו "עבוד עבודה זרה" והולך ועובד. אמר רבי אבין: מאי קראה – "לא יהיה בך אל זר ולא תשתחוה לאל נכר", איזהו אל זר שיש בגופו של אדם – הווי אומר זה יצר הרע.

לא צריכא, דקא עביד למירמא אימתא אאינשי ביתיה. כי הא דרב יהודה שליף מצבייתא, רב אחא בר יעקב תבר מאמי תבירי, רב ששת רמי לה לאמתיה מומיני ארישא, רבי אבא תבר נכתמא.

אמר רבי שמעון בן פזי אמר רבי יהושע בן לוי משום בר קפרא: כל המוריד דמעות על אדם כשר – הקדוש ברוך הוא סופרן, ומניחן בבית גניו, שנאמר: "נדי ספרתה אתה שימה דמעותי בנאדך הלא בספרתך". אמר רב יהודה אמר רב: כל המתעצל בהספדו של חכם – ראוי לקבורו בחייו, שנאמר: "ויקברו אותו בגבול נחלתו בתמנת סרח אשר בהר אפרים מצפון להר געש" מלמד שרגש עליהן הר להורגן. אמר רבי חייא בר אבא אמר רבי יוחנן: כל המתעצל בהספדו של חכם – אינו מאריך ימים, מדה כנגד מדה, שנאמר: "בסאפאה בשלחה תריבנה".

The Gemara asks: Say that you heard that Rabbi Yehuda rules that one is liable for performing a labor not needed for its own sake in the case of a constructive act; did you hear him deem one liable in the case of a destructive act? Rabbi Avin said: This case, where one rends his garment in anger, is also constructive, because in doing so he assuages his anger.^N Rending his garment calms him; therefore, it can be said that he derives benefit from the act of rending, and it is consequently a constructive act. The Gemara asks: And is it at all permitted to tear in that manner? Wasn't it taught in a *baraita* that Rabbi Shimon ben Elazar says in the name of Hilfa bar Agra, who said in the name of Rabbi Yohanan ben Nuri: One who rends his garments in his anger,^H or who breaks his vessels in his anger, or who scatters his money in his anger, should be like an idol worshipper in your eyes, as that is the craft of the evil inclination. Today it tells him do this, and tomorrow it tells him do that, until eventually, when he no longer controls himself, it tells him worship idols and he goes and worships idols. Rabbi Avin said: What verse alludes to this? "There shall not be a strange god within you, and you shall not bow to a foreign god" (Psalms 81:10). What is the strange god that is within a person's body? Say that it is the evil inclination. One may not rend his garments in anger, because in doing so he is deriving pleasure from satisfying the evil inclination.

The Gemara answers: It is only necessary to discuss this in a case where one does so to instill fear in the members of his household. In order to show them that he is very angry, he tears and breaks objects even though he is not that angry. In that case he maintains control of himself and is not in danger of succumbing to the evil inclination. It is like the incident where Rav Yehuda sought to display his anger and he pulled threads off his garment. Rav Aḥa bar Ya'akov smashed broken vessels, Rav Sheshet threw small fish on his maidservant's head, and Rabbi Abba broke the lid of a jug. All of these Sages caused minimal damage in creating the impression that they were angry.

Appropos the laws of mourning for an upright person and a Torah scholar, the Gemara cites that which Rabbi Shimon ben Pazi said that Rabbi Yehoshua ben Levi said in the name of Bar Kappara: Anyone who sheds tears over an upright person, the Holy One, Blessed be He, counts his tears and places them in His treasury, as it is stated: "You have counted my wanderings, put my tears into your bottle, are they not in your book?" (Psalms 56:9). Rav Yehuda said that Rav said: Anyone who is lazy in eulogizing a Torah scholar,^H it is fitting to bury him alive,^N as it is stated: "And they buried him in the border of his inheritance in Timnat-serah, which is in the hill-country of Ephraim, on the north of the mountain of Ga'ash" (Joshua 24:30). This teaches that the mountain raged against them to kill them because they did not eulogize him appropriately. Rabbi Hiyya bar Abba said that Rabbi Yohanan said: Whoever is lazy in eulogizing a Sage does not live a long life, and his punishment is measure for measure. Since he was unconcerned with the death of the Sage, in the heavens they will be unconcerned with his death. The Holy One, Blessed be He, conducts Himself in this manner, as it is stated: "In full measure [*besase'a*], when You send her away You contend with her" (Isaiah 27:8), and the Sages derived that God punishes from the words: "You contend with her," and He does so measure for measure, *se'a* for *se'a*, from the word *sase'a* in the verse above.

HALAKHA

The trait of anger – מידת הכעס: Rambam writes: Anger is an extremely undesirable character trait, and it is appropriate for a person to uproot all vestiges of this emotion from his character. The early Sages said that one who becomes angry is as if he worships idols. If one wants to instill fear for

educational purposes in the members of one's household or as a community leader in one's community, it is permitted to create the impression that he is angry (Rambam *Sefer HaMadda*, *Hilkhot Deot* 2:3 and *Sefer Shofetim*, *Hilkhot Melakhim* 6:10).

כל המתעצל – בהספדו של חכם: One who lacks diligence in eulogizing a Sage is punished by dying before his time. One who mourns and cries over the death of an upright person is rewarded (Rambam *Sefer Shofetim*, *Hilkhot Evel* 12:2).

אִתְּמַר רַבִּי חִיָּיא בְּרַ אָבָא לְרַבִּי יוֹחָנָן:
 "וַיַּעֲבֹדוּ הָעָם אֶת ה' כָּל יְמֵי יְהוֹשֻׁעַ וְכָל
 יְמֵי הַזִּקְנִים אֲשֶׁר הָאֲרִיכוּ יָמִים אַחֲרֵי
 יְהוֹשֻׁעַ" אָמַר לֵיהּ: בְּבִלְאִי, יָמִים –
 הָאֲרִיכוּ, שָׁנִים – לֹא הָאֲרִיכוּ. אֵלָּא מַעֲתָה
 "לְמַעַן יִרְבוּ יְמֵיכֶם וְיָמֵי בְנֵיכֶם" יָמִים וְלֹא
 שָׁנִים! בְּרַכָּה שְׂאִנִּי.

Rabbi Hiyya bar Abba raised an objection to Rabbi Yoḥanan: It is stated: "And the nation worshipped the Lord all the days of Joshua and all the days of the Elders, who lived many days after Joshua" (Judges 2:7), indicating that the Elders lived long lives even though they did not eulogize Joshua properly. Rabbi Yoḥanan said to him: Babylonian, you should be more precise in your reading. They indeed lived **many days**; however, they did **not** live many years. In fact, they did not live to the end of that year. Again he asked: But then with regard to the verse "So that your days and the days of your children will multiply on the land which the Lord your God swore to give to your fathers, as the days of the heavens over the earth" (Deuteronomy 11:21), would you also say that here the reward is to live many days but not years? He answered him: A blessing is different and should be interpreted in its most expansive sense.

וְאָמַר רַבִּי חִיָּיא בְּרַ אָבָא אָמַר רַבִּי יוֹחָנָן:
 אָחָד מִן הָאֲחִין שָׁמַת –

And Rabbi Hiyya bar Abba said that Rabbi Yoḥanan said: If one of the brothers dies,

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יִדְאָגוּ כָּל הָאֲחִין כּוֹלָן. אָחָד מִבְּנֵי חֲבוּרָה
 שָׁמַת – תִּדְאָג כָּל הַחֲבוּרָה כּוֹלָה; אָמַרִי
 לָהּ: דְּמַת גָּדוֹל, וְאָמַרִי לָהּ: דְּמַת קָטָן.

all of the brothers should be concerned, lest their death be approaching. Similarly, if one member of a group dies,^h the entire group should be concerned. Some say the concern is greatest if the eldest dies. If he, despite his virtues, could not avoid punishment, others will certainly not be saved. And some say the concern is greatest if the youngest dies, because the least significant people are punished first, and perhaps this is the start of a punishment for the entire group.

"וְכָל הַמְּקַלְקְלִין פְּטוּרִין". תֵּנִי רַבִּי אֲבָהוּ
 קָמִיָּה דְרַבִּי יוֹחָנָן: כָּל הַמְּקַלְקְלִין פְּטוּרִין,
 חוּץ מַחוּבֵּל וּמִבְעִיר. אָמַר לֵיהּ: פּוֹק
 תֵּנִי לְבָרָא, חוּבֵּל וּמִבְעִיר אֵינָהּ מְשֻׁנָּה.
 וְאִם תִּמְצָא לומר מְשֻׁנָּה, חוּבֵּל – בְּצָרִיד
 לְכַלְכֵּל, מִבְעִיר – בְּצָרִיד לְאַפְרוּ.

We learned in the mishna: And anyone who performs labors destructively on Shabbat is exempt. Rabbi Abbahu taught this *baraita* before Rabbi Yoḥanan: Anyone who performs labors destructively on Shabbat is exempt, except for one who inflicts a wound or kindles a fire.^{HN} Rabbi Yoḥanan said to him: Go teach that outside. This *baraita* is not fit for discussion in the study hall. The opinion that deems one liable for inflicting a wound or kindling a fire on Shabbat is not an accepted teaching and should be ignored. And if you want to say that it is a legitimate teaching, one who inflicts a wound would only be liable in a case where he needed the blood to give to his dog, and one who kindles a fire would only be liable in a case where he needs its ashes.

וְהָאֵנָּה תֵּנִי: כָּל הַמְּקַלְקְלִין פְּטוּרִין!
 מִתְּנִיתִין – רַבִּי יְהוּדָה, בְּרִייתָא – רַבִּי
 שְׁמַעוֹן. מֵאִי טַעְמָא דְרַבִּי שְׁמַעוֹן –
 מִדְּאִיצְטְרִיד קָרָא לְמִשְׁדָּא מִלָּה, הָא
 חוּבֵּל בְּעֵלְמָא – חִיָּיב.

The Gemara asks: How could Rabbi Abbahu teach this *baraita*? Didn't we learn explicitly in the mishna: Anyone who performs labors destructively on Shabbat is exempt, including one who inflicts a wound or who kindles a fire? The Gemara answers: In his opinion, the mishna is in accordance with the opinion of Rabbi Yehuda, who deems one liable for performing labor which is not needed for its own sake, whereas the *baraita* is in accordance with the opinion of Rabbi Shimon, who exempts in that case. The Gemara explains: What is the reason that Rabbi Shimon deems one who inflicts a wound or kindles a fire on Shabbat liable even though these are destructive acts? From the fact that a verse was necessary to permit circumcision on Shabbat, by inference, in general, one who inflicts a wound is liable. If inflicting a wound was not prohibited on Shabbat, there would be no need to permit circumcision.

וּמִדְּאִסַּר רַחֲמָנָא הַבְּעֵרָה גַּבִּי בֵּת כְּהֵן –
 שְׁמַע מִנָּה מִבְעִיר בְּעֵלְמָא חִיָּיב.

Similarly, from the fact that the Torah prohibited kindling a fire on Shabbat even with regard to the execution by burning of a priest's daughter who committed adultery, conclude from it that in general, one who ignites a fire on Shabbat is liable.

HALAKHA

If one member of a group dies – אָחָד מִבְּנֵי חֲבוּרָה שָׁמַת: If one member of a group dies, the entire group should be concerned (Rambam *Sefer Shofetim*, *Hilkhot Evel* 13:12; *Shulḥan Arukh*, *Yoreh De'a* 394:5).

Anyone who performs labors destructively is exempt, except for one who inflicts a wound or kindles a fire – חוּץ מַחוּבֵּל וּמִבְעִיר: A person who performs a destructive act is exempt. There is no liability if one inflicts a wound on a living being to cause damage. However, if one inflicts an injury for the blood from the wound, he is liable. Similarly, one who kindles a fire to cause damage is exempt on Shabbat, but if he does so for the ashes, he is liable (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 1:17, 8:7, 12:1).

NOTES

The opinions regarding one who inflicts a wound or kindles a fire – הִשְׁטוּת בְּדִינֵי חוּבֵּל וּמִבְעִיר: This brief passage is pivotal in the comprehensive discussion among the commentaries and legal authorities with regard to the *halakha* of primary categories of labor not needed for their own sake. The *Me'iri* summarizes the issue as follows: If one performs a primary category of labor in its standard, constructive manner it is an act needed for its own sake. An example of this would be the primary category of winnowing. Even though the main goal is to remove the chaff, it is still considered a primary category of labor needed for its own sake.

Some actions are considered destructive in one respect and constructive in another, with the constructive aspect not apparent at the time the act is performed. For example, if one digs a pit for the dirt, everyone agrees that he is exempt because there is no constructive aspect to that action. However, Rabbi Yehuda and Rabbi Shimon disagree with regard to destructive acts whose constructive purpose is evident at the time of the act.

Rabbi Yehuda and Rabbi Shimon also disagree with regard to a case where one inflicts a wound or kindles a fire as well, but their rulings are contrary to their standard opinions with regard to primary categories of labor not needed for their own sake. Rabbi Shimon holds that one is liable in these two cases by Torah law, while Rabbi Yehuda holds that one is exempt in these two cases because they are destructive acts.

HALAKHA

The width of a *sit* – יוֹתֵב הָסִיט: The width of a *sit* is equal to the greatest distance between the tips of the thumb and forefinger when stretched apart (Rambam *Sefer Zemanim, Hilkhos Shabbat* 9:7).

One who traps – הַצֵּד: One who traps a bird and places it into a cage on Shabbat is liable. One who traps a deer in a building or pen which is small enough that he can then apprehend the deer with little effort, is liable for the primary category of trapping (Rambam *Sefer Zemanim, Hilkhos Shabbat* 10:19; *Shulhan Arukh, Orah Hayyim* 316:1).

NOTES

רב Yosef would demonstrate the width of a double *sit* – רַב יוֹסֵף מַחְוֵי כַפּוּל: The commentaries disagree about the meaning of this passage and in determining the measure of a *sit*. According to many authorities, the correct version of this text is not double [*kaful*] but bent [*kafuf*]. A bent *sit* is measured from the base of the thumb to the tip of the forefinger when they are touching, while a simple *sit* is the distance between the thumb and forefinger when they are spread apart (Rabbeinu Hananel). Other commentaries say that a *sit* is the distance between the forefinger and the middle finger, and the word *kafuf*, or *kaful*, means that one measures the distance between them when one finger is bent, which results in a larger measurement (*Tosafot Rid*). The measure of a *sit* is different according to each opinion.

BACKGROUND

The width of a *sit* – יוֹתֵב הָסִיט:



Sit and double sit according to Rashi

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LANGUAGE

Enclosure [*bivar*] – בִּיבָר: From the Latin vivarium, a place where animals are kept.

NOTES

And one may place food before them – וְנוֹתֵנִין לִפְנֵיהֶם מִזֻּנוֹת: In *Tosafot* the question of whether or not one is permitted to feed animals on a Festival depends on whether or not those animals are considered trapped by Torah law. Rashi's opinion is supported in the Jerusalem Talmud that one may not tend to something that is not prepared for use on the Festival. Nevertheless, ravens and dogs may be fed on Shabbat because they are considered prepared for whatever use their owners keep them (*Rashba*).

וְרַבִּי יְהוּדָה – הֵתֵם מִתְקֵן הוּא, כְּדִרְבִּי אֲשִׁי: דָּאָמַר רַב אֲשִׁי: מָה לִּי לְתַקֵּן מִיָּלֶה, מָה לִּי לְתַקֵּן כָּלִי, מָה לִּי לְבַשֵּׁל פְּתִילָה, מָה לִּי לְבַשֵּׁל סִמְנִין.

”שִׁיעוּר הַמִּלְבָּן כו.”. רַב יוֹסֵף מַחְוֵי כַפּוּל, רַב חִיָּיא בַר אֲמִי מַחְוֵי פָּשׁוּט.

מִתְנִי' רַבִּי יְהוּדָה אוֹמֵר: הַצֵּד צִפּוֹר לְמַגְדֵּל, וְצָבִי לְבֵית – חֲיִיב. וְחֻכְמִים אוֹמְרִים: צִפּוֹר לְמַגְדֵּל,

The Gemara asks: And how does Rabbi Yehuda address this proof? The Gemara answers: **There**, that is a case of a **constructive labor** in accordance with the explanation of Rav Ashi. For Rav Ashi said: What difference is there to me between **repairing the child through circumcision and repairing a vessel?** They are both constructive acts. And what difference is there to me between **cooking a lead wick**, as a melted lead wick was poured down the throat of the criminal sentenced to execution by burning, and **cooking herbs** used to produce dyes in the Tabernacle? The Torah addressed these cases specifically because they are constructive, and nothing can be derived from them with regard to liability for performance of destructive labors.

We learned in the mishna: The measure that determines liability for one who whitens and for similar prohibited labors is the full width of a double *sit*.^h Rav Yosef would demonstrate the width of a double *sit*ⁿ by indicating the distance between the index and middle fingers and instructing the onlookers to double the measure. Rabbi Hiyya bar Ami would demonstrate in a simple manner, as he calculated that the distance between the thumb and the forefinger is equal to a double *sit*.^b

MISHNA Rabbi Yehuda says: One who traps^h a bird into a closet or cage, and one who traps a deer into a house is liable. The Rabbis say: One is liable for trapping a bird into a closet

וְצָבִי לְגִינָה וְלִחְצֵר וְלִבְיָרִין – [חֲיִיב]. רַבִּין שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: לֹא כָּל הַבְּיָרִין שְׁוִין. זֶה הַכֵּל: מְחוֹסֵר צִידָה – פֶּטוּר, שֶׁאִינוֹ מְחוֹסֵר צִידָה – חֲיִיב.

גַּמ' תֵּן הֵתֵם: אֵין צָדִין דְּגִים מִן הַבְּיָרִין בְּיוֹם טוֹב, וְאֵין נוֹתֵנִין לִפְנֵיהֶם מִזֻּנוֹת. אֲבָל צָדִין חֲזֵה וְעוֹף. וְנוֹתֵנִין לִפְנֵיהֶם מִזֻּנוֹת. וְרַמְבַּם: בְּיָרִין שֶׁל חֲזֵה וְשֶׁל עוֹפּוֹת וְשֶׁל דְּגִים – אֵין צָדִין מֵהֶם בְּיוֹם טוֹב, וְאֵין נוֹתֵנִין לִפְנֵיהֶם מִזֻּנוֹת. קִשְׁיָא חֲזֵה אֲחֵיהּ, קִשְׁיָא עוֹפּוֹת אֲחֵיהֶן!

and for trapping a deer into a garden, or into a courtyard, or into an enclosure [*bivar*],^l he is liable. Rabban Shimon ben Gamliel says: Not all enclosures are identical. This is the principle: If the trapping of the animal is inadequate and it is still necessary to pursue and apprehend it, one is not liable. However, if one trapped a deer into an enclosure in which the trapping is not inadequate, he is liable.

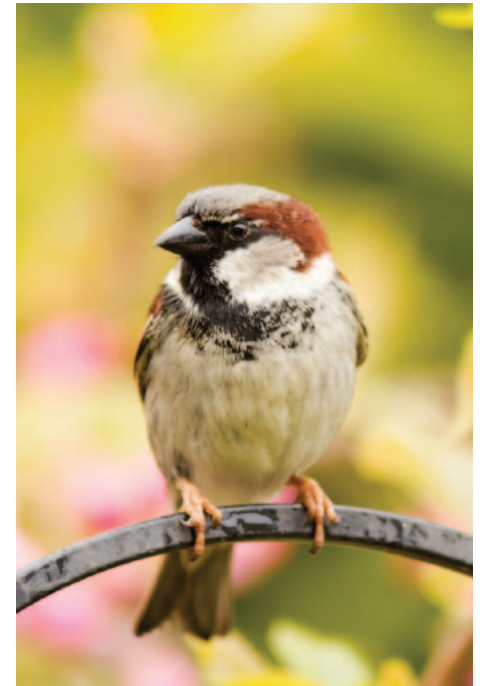
GEMARA We learned in the mishna there in tractate *Beitza*: One may not trap fish from the enclosures on a Festival, nor may one place food before them, because it is prohibited to feed an animal that may not be eaten on the Festival. However, one may trap an animal or a bird from its enclosures and slaughter them, and one may also place food before them.ⁿ The Gemara raises a contradiction from that which was taught in the *Tosefta*: From enclosures of animals, of birds, and of fish, one may not trap on a Festival, nor may one place food before them. This is difficult due to a contradiction between the ruling with regard to an animal in the mishna and the ruling with regard to an animal in the *Tosefta*. This is similarly difficult due to the contradiction between the ruling with regard to birds in the mishna and the ruling with regard to birds in the *Tosefta*.

Trapping a bird – צידת צפור – One who traps a bird inside a building is liable. In the case of a house sparrow, one is not liable until it is trapped in a cage (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 10:19–20; *Shulhan Arukh, Orah Hayyim* 316:1).

A small or large enclosure – ביכר קטן וגדול – Animals are considered trapped only if they have been enclosed in a building or pen in which one need not pursue them to apprehend them (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 10:19–20; *Shulhan Arukh, Orah Hayyim* 316:1).

BACKGROUND

Free bird – צפור דרור – The house sparrow [*tzipor dror*], *Passer domesticus biblicus*, is found throughout the world in close proximity to human habitation. Since this bird lives among people and it sometimes enters their homes, one is not liable for trapping it in a house, because it continues to fly from place to place. The name *tzipor dror*, literally, a bird of freedom, connotes the fact that this bird, like many other birds, cannot live in captivity and survives in a cage with great difficulty.



House sparrow

בשלמא חיה אחיה לא קשיא, הא – רבי יהודה, הא – רבנן.

The Gemara says: **Granted**, with regard to the contradiction between the ruling concerning **an animal** in the mishna and the ruling concerning **an animal** in the *Tosefta*, it is **not difficult**, because **this**, the *Tosefta* that prohibits trapping and feeding the animals in the enclosures, is in accordance with the opinion of **Rabbi Yehuda** cited in the mishna that an animal trapped into an enclosure whose trapping is inadequate, i.e., it is still necessary to pursue and apprehend the animal, is not considered trapped. **That**, i.e., the mishna in *Beitza*, which permits trapping and feeding the animals in the enclosures, is in accordance with the opinion of **the Rabbis**, who said that animals in an enclosure are considered trapped.

אלא, עופות אעופות קשיא! וכי תימא עופות אעופות נמי לא קשיא; הא – ביכר מקורה, הא – ביכר שאינו מקורה; והא בית, דמקורה הוא, ובין לרבי יהודה ובין לרבנן, צפור למגדל – אין לבית – לא!

However, concerning the contradiction between the ruling with regard to **birds** in the mishna and the ruling with regard to **birds** in the *Tosefta*, it is **difficult**. **And if you say** that the contradiction between the ruling with regard to **birds** in the mishna and the ruling with regard to **birds** in the *Tosefta* is **also not difficult** because **this**, the mishna, which permits trapping, is referring to a **roofed enclosure**, in which a bird is considered trapped, and therefore there is no prohibition against apprehending it on Shabbat; and **that** the *Tosefta*, which prohibits trapping, is referring to an **unroofed enclosure** in which a bird is not considered trapped and apprehending it is prohibited, that does not resolve the contradiction. As with regard to a **house**, which is **roofed**, there is no dispute, and according to both **Rabbi Yehuda and the Rabbis**, trapping a bird¹ into a closet, yes, it is considered trapped, while trapping it into a house, no, it is not considered trapped.

אמר רבה בר רב הונא: הכא בצפור דרור עסקינן, לפי שאינה מקבלת מרות. דתנא דבי רבי ישמעאל: למה נקרא שמה צפור דרור – מפני שדרה בבית כבשדה. השתא דאתית להכי – חיה אחיה נמי לא קשיא, הא – בבית גדול, הא – בבית קטן.

Rabba bar Rav Huna said: Here, in the mishna, according to which a bird in a house is not considered trapped, we are dealing with a **free bird**, a sparrow, because it does not accept authority. That bird is not intimidated and evades capture even in a house, as the school of **Rabbi Yishmael** taught: **Why is it called a free bird [tzipor dror]?² Because it dwells [dara] in a house as it does in a field.** Therefore, the distinction between a roofed and unroofed enclosure resolves the apparent contradiction between the mishna and the *Tosefta*. The Gemara says: **Now that you have arrived at this understanding**, that the difference between the rulings in the two sources is predicated on different circumstances and not on a tannaitic dispute, the apparent contradiction between the ruling with regard to **an animal** in the mishna and the ruling with regard to **an animal** in the *Tosefta* is **also not difficult**. **This**, the ruling in the *Tosefta* which prohibits apprehending the animal, is referring to a **large enclosure** from which the animal cannot escape, but it can still avoid being apprehended. Therefore, the trapping is considered inadequate, and apprehending the animal constitutes trapping. **That**, the ruling in the mishna that permits apprehending the animal, is referring to a **small enclosure³** in which the animal cannot evade its pursuers and requires no further trapping.

הכי דמי ביכר גדול, הכי דמי ביכר קטן; אמר רב אשי: כל היכא דרהיט בתריה, ומטי לה בחד שיחייא – ביכר קטן, ואידך – ביכר גדול. אי נמי: כל היכא דנמיל טולא דכתלים אהדדי – ביכר קטן, ואידך – ביכר גדול, ואי נמי: כל היכא דליכא עוקצי עוקצי – ביכר קטן, ואידך – ביכר גדול.

The Gemara asks: **What are the circumstances of a large enclosure and what are the circumstances of a small enclosure?** **Rav Ashi said:** Any enclosure where one can run after an animal and reach it in one lunge⁴ is a small enclosure. And any other is a large enclosure. Or perhaps: Any enclosure where the shadows from the different walls fall upon each other is a small enclosure, as all enclosures had a uniform height. And any other is a large enclosure. Or perhaps: Any enclosure that does not have a series of corners in which the animal could evade capture is a small enclosure, and any other is a large enclosure.

NOTES

In one lunge – בחד שיחייא – According to the version that appears in the Gemara, this is a small enclosure where one can apprehend the animal just by reaching out. A variant reading

of this passage is: One period [*shehiyya* instead of *shihayya*], meaning as long as one need not stop and rest while chasing the animal, but can catch it in a single pursuit (see *Me'iri*).

לִמְדוּ הַלַּכָּה גְּמֹר וְמוֹרָא – תְּהֵא: Learn the lesson, let it be like a song – This is a folk expression applied to foolish students: Learn everything, right and wrong, and you will be able to sing it (Rashi). Elsewhere, Rashi explains that Abaye's teacher taught him that the *halakha* is in accordance with the opinion of Rabban Shimon ben Gamliel. Abaye answered: If there is no disagreement, why state the *halakha* at all? Is it just a song? It is impossible to explain that all Rav Yosef was saying was that the *halakha* is not in accordance with the opinion of Rabbi Yehuda, because it is clear that in a dispute with Rabbi Yehuda, the *halakha* is in accordance with the opinion of the Rabbis. Rabban Shimon ben Gamliel agrees with the Rabbis. Rav Yosef preferred to teach the *halakha* in the name of Rabban Shimon ben Gamliel rather than in the name of the Rabbis (Rashba).

בְּחוּלָה מִחֶמֶת אִישָׁא – The A deer that is sick due to a fever – The *Arukh* explains this differently. If the animal is sick with a fever, it cannot run away. However, if it is merely sick or exhausted, then it can still flee.

HALAKHA

One who traps a deer that is blind or sleeping... a lame, old, or sick deer – הִצֵּד צִי סוּמָא וְיָשֵׁן... חֵינָר וְקָן: One who traps a deer that is blind or sleeping, or any other animal that will flee when touched, is liable. If the animal is sick or old or unable to flee, he is exempt (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 10:21, 24; *Shulḥan Arukh, Oraḥ Ḥayyim* 316:2).

כָּל שְׂבָמִי – Any insect whose species is typically trapped – נִיצוּד: By Torah law, one is liable only for trapping a creature that people typically trap. Nevertheless, it is prohibited to trap those animals that are not typically trapped, though he is not liable (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 10:24; *Shulḥan Arukh, Oraḥ Ḥayyim* 316:3).

A deer that entered a house – צִי שֶׁנִּכְנַס לְבֵית: If a deer entered a building on its own (*Mishna Berura*) and someone locked it inside, he is liable for trapping. If two people locked the building together, although a primary category of labor was performed, because they did it together neither is liable, so long as one of them was capable of performing the act alone. However, if the action required both people, they are both liable (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 10: 23; *Shulḥan Arukh, Oraḥ Ḥayyim* 316:5).

BACKGROUND

Cicadas – גִּזִּין: The *Cicada orni* is a species of cicada, an insect with four wings of equal size. The cicada consumes primarily plant nectar, and its excrement is sweet and is apparently the "honey" mentioned in certain sources. Male cicadas have a special body part that chirps and buzzes, and this seems to be the source of its onomatopoeic name in the Gemara, *gazin*, based on its buzzing sound.



Cicada

רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר וכו'. אָמַר רַב יוֹסֵף אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: הֲלָכָה כְּרַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל. אָמַר לִיה אַבְיִי: "הֲלָכָה" מִכָּל דְּפִלְגִי? אָמַר לִיה: מֵאֵי נִפְקָא לָךְ מִינָהּ? אָמַר לִיה: גְּמֹרָא גְּמֹר וְמוֹרָא תְּהֵא?

תְּנוּ רַבָּנִי: הִצֵּד צִי סוּמָא וְיָשֵׁן – חֵיב, חֵינָר וְקָן וְחוּלָה – פָּטוּר. אָמַר לִיה אַבְיִי לְרַב יוֹסֵף: מֵאֵי שָׂנָא הֵי וּמֵאֵי שָׂנָא הֵי? הֵי – עֲבִידֵי לְרַבּוּי, הֵי – לֹא עֲבִידֵי לְרַבּוּי. וְהִתְנָא: חוּלָה – חֵיב! אָמַר רַב שְׁשֶׁת: לֹא קִשְׁיָא, הָא – בְּחוּלָה מִחֶמֶת אִישָׁא, הָא – בְּחוּלָה מִחֶמֶת אוֹבְעָנָא.

תְּנוּ רַבָּנִי: הִצֵּד חֲגָבִין, גִּזִּין, צִרְעִין וְיִתוּשִׁין בְּשַׁבָּת – חֵיב, דְּבִרְי רַבִּי מֵאִיר. וְחֲכָמִים אוֹמְרִים: כָּל שְׂבָמִי נִיצוּד – חֵיב, וְכָל שֶׂאִין בְּמִינוֹ נִיצוּד – פָּטוּר. תִּנָּא אֵידִךְ: הִצֵּד חֲגָבִים בְּשַׁעַת הַטֵּל – פָּטוּר, בְּשַׁעַת הַשָּׁרֵב – חֵיב. אֱלֶעָזַר בֶּן מֵהַבַּי אוֹמֵר: אִם הָיוּ מְקַלְחוֹת וּבָאוֹת – פָּטוּר. אִיבְעִינָא לֵהּ: אֱלֶעָזַר בֶּן מֵהַבַּי, אִירִשָּׁא קָאִי אוֹ אִסְפִּיפָא קָאִי? תָּא שְׁמַע: הִצֵּד חֲגָבִין בְּשַׁעַת הַטֵּל – פָּטוּר, בְּשַׁעַת הַשָּׁרֵב – חֵיב. אֱלֶעָזַר בֶּן מֵהַבַּי אוֹמֵר: אִפְלוּ בְּשַׁעַת הַשָּׁרֵב, אִם הָיוּ מְקַלְחוֹת וּבָאוֹת – פָּטוּר.

מִתְנִי' צִי שֶׁנִּכְנַס לְבֵית וְנִעַל אַחֲד בְּפָנָיו – חֵיב, נִעְלוּ שְׁנַיִם – פָּטוּרִין; לֹא יָכוֹל אַחֲד לְנַעֵל וְנִעְלוּ שְׁנַיִם – חֵיבִין, וְרַבִּי שְׁמַעוֹן פּוֹטֵר.

We learned in the mishna that Rabban Shimon ben Gamliel says: **Not all enclosures are identical.** It depends whether the trapping of the animal is inadequate, in which case one is liable for trapping, or whether the trapping is not inadequate, in which case one is exempt. Rav Yosef said that Rav Yehuda said that Shmuel said: The *halakha* is in accordance with the opinion of Rabban Shimon ben Gamliel in this matter. Abaye said to him: If you rule the *halakha* in accordance with his opinion, does that mean by inference that the Rabbis disagree, or perhaps there is no dispute and everyone accepts the opinion of Rabban Shimon ben Gamliel? Rav Yosef said to him: What difference is there to you whether or not the Rabbis disagree? In either case the *halakha* is in accordance with the opinion of Rabban Shimon ben Gamliel. He answered him using a folk expression: Is it simply learn the lesson, let it be like a song?ⁿ In other words, is it sufficient to simply parrot the halakhic ruling? Rather, it is necessary to examine the issue to understand it even if it does not yield a practical halakhic difference.

The Sages taught in a *baraita*: One who traps a deer on Shabbat that is blind or sleeping is liable. One who traps a lame, old, or sick deer^h is exempt. Abaye said to Rav Yosef: What is different about these cases and what is different about those cases? Rav Yosef answered: These, the blind or sleeping deer, are likely to run away when they feel that they are being touched; therefore, they require trapping. However, these, the crippled, old, and sick deer, are not likely to run away and are therefore considered to be already trapped. The Gemara asks: Wasn't it taught in a *baraita* that one who traps a sick deer is liable? Rav Sheshet said: This is not difficult. This *baraita*, in which a sick deer is not considered trapped and one who traps it is liable is referring to a deer that is sick due to a fever,ⁿ which can still flee; that *baraita*, in which the deer is considered trapped and one who traps it is exempt is referring to a deer that is sick with fatigue and is incapable of fleeing.

The Sages taught in a *baraita*: One who traps locusts, cicadas,^b hornets, or mosquitoes on Shabbat is liable. This is the statement of Rabbi Meir. And the Rabbis say: Not every insect is the same in this matter. If one traps any insect whose species is typically trapped^h for personal use, he is liable, and if one traps any insect whose species is typically not trapped for personal use, he is exempt. It was taught in another *baraita*: One who traps locusts when there is dew is exempt. Since it is cold at that time, the locusts are paralyzed. If one traps them when it is hot, he is liable. Elazar ben Mehavai says: If the locusts were swarming, one is exempt for trapping them, because no effort is necessary to apprehend them. A dilemma was raised before them: Does the statement of Elazar ben Mehavai apply to the first clause of the *baraita*, ruling stringently that one is liable for trapping locusts even when there is dew unless they are swarming; or does it apply to the latter clause of the *baraita*, ruling leniently that one is exempt when trapping locusts, even in the heat when they are swarming? Come and hear a resolution to this dilemma based on a source that addresses the point explicitly: One who traps locusts when there is dew is exempt; one who traps locusts when it is hot is liable. Elazar ben Mehavai says: Even when it is hot, if they were swarming, one is exempt.

MISHNA If a deer entered a house^h on its own and one locked the door before it, he is liable for trapping. If two people locked the door, they are exempt, because neither performed a complete labor. If one person is incapable of locking the door and two people locked it, they are liable because that is the typical manner of performing that labor. And Rabbi Shimon deems them exempt as he holds that two people who perform a single labor are never liable by Torah law.

One who traps a lion on Shabbat – **הַצֵּד אֶרֶץ בְּשַׁבָּת** – To be liable on Shabbat, one who traps a lion or other dangerous animal has to trap it in an appropriate cage (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:19).

One person sat in the entrance – **יָשַׁב הָאָחֵד עַל הַפֶּתַח** – If a deer entered a building, and a person sat in the doorway without completely blocking the entrance, and then another person came and completed the blocking of the entrance by sitting in the doorway as well, the latter is liable. If the first person completely blocked the entrance but left after the second person sat down, the first person is liable by Torah law and the second one is exempt. In this case, it is even permitted for the second person to sit there while the first one is securing the animal (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:23; *Shulḥan Arukh*, *Orah Ḥayyim* 316:6).

NOTES

To what is this similar? To one who locks his house – **לְמָה – זֶה דּוּמָה, לְנוֹעֵל אֶת בֵּיתוֹ** – Some commentaries compare the second person to one who had a deer closed up in his house and he came and added a lock to the door. Even though he intends to further secure the deer, he is certainly exempt because the deer was already trapped (Ran).

If a bird flew under the flaps of one's clothing – **בְּנִסְתָּ לוֹ – צִפּוֹר תַּחַת כְּנָפָיו** – If a bird flew underneath the flaps of one's clothing on Shabbat, he is permitted to guard it until after Shabbat, as stated by Rabbi Abba (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:23).

The first person sat in the doorway...he is exempt and it is permitted – **יָשַׁב הָרִאשׁוֹן עַל הַפֶּתַח...פֶּטוּר וּמוּתָר** – If a deer entered a building and a person sat in the doorway completely blocking the entrance, another person may come and sit next to him. If the first person leaves the second individual there, the first person is liable, while the second one is exempt from all liability and is permitted to stay (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:23; *Shulḥan Arukh*, *Orah Ḥayyim* 316:6).

GEMARA Rabbi Yirmeya bar Abba said that Shmuel said: One who traps a lion on Shabbat^h is not liable for trapping unless he traps it in its cage, and until that point it is not considered trapped.

MISHNA If one person sat in the entrance^h of a courtyard in which there is a deer, but did not fill the entire doorway, and a second person sat and filled it, the second person is liable because he completed the labor of trapping. However, if the first person sat in the doorway and filled it, and a second person came and sat next to him, the first person is liable and the second is exempt even if the first person stood and went away, leaving the second one to secure the deer. The mishna explains: To what is this second person's action similar? To one who locks his houseⁿ to secure it, and it turns out a deer that was trapped before Shabbat is also secured inside it. In that case, he is exempt even though he enhances security on the deer, because he did not trap the animal.

GEMARA Rabbi Abba said that Rav Ḥiyya bar Ashi said that Rav said: If a bird flew under the flaps of one's clothing^h on Shabbat and cannot get out, he may sit and secure it until darkⁿ and then take it. Rav Nahman bar Yitzḥak raised an objection based on that which we learned in the mishna: If the first person sat in the doorway and filled it, and a second person came and sat next to him, the first person is liable and the second is exempt, even if the first person stood and went. What, does this not mean here, as it does throughout tractate *Shabbat*, that he is exempt after the fact, but it is prohibited to do so *ab initio*? How then could Rav say one may sit and secure the bird *ab initio*? The Gemara rejects this: No, the statement in the mishna means that he is exempt and it is permittedⁿ *ab initio*. The Gemara adds: So too, it is reasonable to explain the mishna that way from the fact that it was taught in the latter clause of the mishna: To what is this second person's action similar? To one who locks his house to secure it, and it turns out a deer that was trapped before Shabbat is also secured inside it. By inference, he is exempt and it is permitted, just like one who locks the door to his house. The Gemara concludes: Indeed, learn from it that it is so.

Some say a slightly different version. Rav Nahman bar Yitzḥak said: We too learned support for Rav's statement in the mishna: Even if the first person stood and went, the first person is liable and the second is exempt. What, does this not mean that he is exempt, and it is permitted? The Gemara rejects this: No, he is exempt and it is prohibited. Rav Nahman said: That is impossible, from the fact that it is taught in the latter clause of the mishna: To what is this second person's action similar? To one who locks his house to secure it and it turns out a deer that was trapped before Shabbat is also secured inside it. By inference, he is exempt and it is permitted, just like one who locks the door to his house. The Gemara concludes: Indeed, learn from it that it is so.

NOTES

יָשַׁב וּמִשְׁמְרוֹ עַד שְׁתַּחֲשֵׁךְ – He may sit and secure it until dark – The answer is unrelated to the issue of trapping. The bird is set aside and cannot be moved because it was not prepared before Shabbat (Rashba).

גַּמ' אָמַר רַבִּי יִרְמְיָהּ בְּרַ אֲבָא אָמַר שְׁמוּאֵל: הַצֵּד אֶרֶץ בְּשַׁבָּת אִינוּ חַיִּיב עַד שִׁכְנִסְנוּ לְגוֹרְקֵי שָׁלוֹ.

מִתְנִי' יָשַׁב הָאָחֵד עַל הַפֶּתַח וְלֹא מִלְּאָהוּ, יָשַׁב הַשֵּׁנִי וּמִלְּאָהוּ – הַשֵּׁנִי חַיִּיב. יָשַׁב הָרִאשׁוֹן עַל הַפֶּתַח וּמִלְּאָהוּ, וּבָא הַשֵּׁנִי וַיֵּשֶׁב בְּצִידוֹ, אָף עַל פִּי שְׁעֵמֶד הָרִאשׁוֹן וְהֵלֵךְ לוֹ – הָרִאשׁוֹן חַיִּיב, וְהַשֵּׁנִי פֶטוּר. הֵא לְמָה זֶה דּוּמָה – לְנוֹעֵל אֶת בֵּיתוֹ לְשׁוּמְרוֹ, וְנִמְצָא צְבִי שְׁמוּר בְּתוֹכוֹ.

Perek XIII
Daf 107 Amud a

גַּמ' אָמַר רַבִּי אֲבָא אָמַר רַב חִיָּיא בְּרַ אֲשִׁי אָמַר רַב: בְּנִסְתָּ לוֹ צִפּוֹר תַּחַת כְּנָפָיו – יוֹשֵׁב וּמִשְׁמְרוֹ עַד שְׁתַּחֲשֵׁךְ. מִתְבָּרַר רַב נַחְמָן בְּרַ יִצְחָק: יָשַׁב הָרִאשׁוֹן עַל הַפֶּתַח וּמִלְּאָהוּ, וּבָא הַשֵּׁנִי וַיֵּשֶׁב בְּצִידוֹ, אָף עַל פִּי שְׁעֵמֶד הָרִאשׁוֹן וְהֵלֵךְ לוֹ – הָרִאשׁוֹן חַיִּיב וְהַשֵּׁנִי פֶטוּר. מֵאֵי לָאוּ: פֶּטוּר אֲבָל אֲסוּר? לֹא, פֶּטוּר וּמוּתָר. הֲכִי נִמֵּי מִסְתַּבְּרָא, מִדְּקִתָּנִי סִיפָא: לְמָה זֶה דּוּמָה – לְנוֹעֵל אֶת בֵּיתוֹ לְשׁוּמְרוֹ, וְנִמְצָא צְבִי שְׁמוּר בְּתוֹכוֹ, מְבַלְל דְּפֶטוּר וּמוּתָר, שְׁמַע מִינָהּ.

אִיכָא דְאָמְרִי, אָמַר רַב נַחְמָן בְּרַ יִצְחָק: אָף אֲנִי נִמֵּי תִּנְיָנָא, אָף עַל פִּי שְׁעֵמֶד הָרִאשׁוֹן וְהֵלֵךְ לוֹ – הָרִאשׁוֹן חַיִּיב וְהַשֵּׁנִי פֶטוּר. מֵאֵי לָאוּ – פֶּטוּר וּמוּתָר? לֹא, פֶּטוּר אֲבָל אֲסוּר. הֵא לְמָה זֶה דּוּמָה – לְנוֹעֵל אֶת בֵּיתוֹ לְשׁוּמְרוֹ, וְנִמְצָא צְבִי שְׁמוּר בְּתוֹכוֹ, מְבַלְל דְּפֶטוּר וּמוּתָר, שְׁמַע מִינָהּ.

All exempt rulings in the *halakhot* of Shabbat – כל פטורי דשבת פטור אבל אסור, לבר מהני תלת דפטור ומותר; חדא – הא, וממאי דפטור ומותר – דקתני סיפא: למה זה דומה – לנועל את ביתו לשומרו ונמצא צבי שמוי בתוכו. ואידך: המפס מורסא בשבת, אם לעשות לה פה – חייב, אם להוציא ממנה ילדה – פטור. וממאי דפטור ומותר – דתנן: מחט של יד ליטול בה את הקוץ. ואידך: הצד נחש בשבת, אם מתעסק בו שלא ישכנו – פטור, אם לרפואה – חייב. וממאי דפטור ומותר – דתנן: כופין קערה על הגר בשביל שלא תאחז בקורה, ועל צואה של קטן, ועל עקרב שלא תישך.

המפס – One who drains an abscess containing pus
מורסא: One is permitted to puncture a boil containing pus on Shabbat if the intention is to drain the fluid from it, even if the boil also contains blood. This is allowed on the condition that one does not apply pressure to the wound, thereby extracting blood from it (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 10:17; *Shulhan Arukh, Oraḥ Hayyim* 328:28).

One who traps a snake on Shabbat – הצד נחש בשבת
One who traps a snake on Shabbat in order to use it is liable. However, it is permitted to trap a snake to prevent it from biting (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 10:25; *Shulhan Arukh, Oraḥ Hayyim* 316:7).

אמר שמואל: כל פטורי דשבת פטור אבל אסור, לבר מהני תלת דפטור ומותר; חדא – הא, וממאי דפטור ומותר – דקתני סיפא: למה זה דומה – לנועל את ביתו לשומרו ונמצא צבי שמוי בתוכו. ואידך: המפס מורסא בשבת, אם לעשות לה פה – חייב, אם להוציא ממנה ילדה – פטור. וממאי דפטור ומותר – דתנן: מחט של יד ליטול בה את הקוץ. ואידך: הצד נחש בשבת, אם מתעסק בו שלא ישכנו – פטור, אם לרפואה – חייב. וממאי דפטור ומותר – דתנן: כופין קערה על הגר בשביל שלא תאחז בקורה, ועל צואה של קטן, ועל עקרב שלא תישך.

With regard to this issue Shmuel said: With regard to all exempt rulings in the *halakhot* of Shabbat,^h although one who performs the action is exempt by Torah law, his action is prohibited by rabbinic law, with the exception of these three for which he is exempt and it is permitted to perform the action.

One is this case of the deer. And from what source do we conclude that one is exempt and it is permitted? From the fact that it was taught in the latter clause of the mishna: To what is this second person's action similar? To one who locks his house to secure it and it turns out a deer that was trapped before Shabbat is also secured inside.

And another example where he is exempt and it is permitted is: One who drains an abscess containing pus^h on Shabbat, if he did so to create a permanent opening in it, he is liable. However, if he did so to drain fluid from it, he is exempt. And from what source do we conclude that one is exempt and it is permitted? As we learned in a mishna: A hand needle used for sewing clothes may be moved on Shabbat to remove a thorn. Apparently, removing a thorn on Shabbat is permitted *ab initio* to the extent that one is even permitted to move a needle for that purpose.

And another case is: One who traps a snake on Shabbat,^h if he deals with it so that it will not bite him and in doing so traps it, he is exempt. However, if he traps it for medicinal purposes, he is liable. And from what source do we conclude that one is exempt and it is permitted? As we learned in a mishna: One may overturn a bowl on top of a lamp *ab initio* on Shabbat so that the fire will not take hold in the ceiling beam; and similarly, one may overturn a bowl on top of a child's feces so that he will not touch it and dirty himself, and on top of a scorpion so it will not bite, and the ruling is the same with regard to a snake.

הדרן עלך האורג

Summary of Perek XIII

Weaving and other categories of labor related to the production of yarn and fabric and their treatment were divided from a halakhic perspective into two groups. The first group was the category of weaving itself and other categories that serve as a basis for it or its subcategories [*toladot*]. These essentially involve the combination of several separate threads into one entity that has a function within the context of weaving, either by arranging the loom or otherwise facilitating the process of weaving. With regard to this group, it is generally determined that the minimum quantity is two threads, or two loops of thread [*batei nirin*], each with its own specific rules.

The second group of categories is comprised of those actions involved in the treatment of the threads of the fabric or the finished garment, whether by spinning, dyeing, or whitening. Here, the minimum length is established as the width of a *sit*, the distance between the tip of the thumb and the tip of the index finger when they are extended. This is also the minimum measure for other activities related to weaving. Indeed, some of the details related to these categories of labor, particularly the category of whitening, are treated in other chapters at greater length and with further clarification.

The other subject of this chapter, the category of trapping, was defined from several perspectives: The basic nature of this category of labor was defined as causing an animal to enter a place from which it cannot leave, but only if that animal initially could have left that place on its own. Capturing a captured animal, whether because it was already trapped by another person, or because it cannot escape due to its weakness or injuries, is not considered a violation of the prohibited labor of trapping.

It was also concluded that not every animal is subject to the biblically based prohibition of trapping, so that one is not liable for capturing animals that are not customarily trapped or hunted, or for which there is no practical use.

Also, with regard to trapping performed cooperatively by two individuals, here too, the rule applies that one is not liable for an action performed jointly unless that action could not be performed by an individual acting alone.

Several matters pertaining to trapping that are not comprehensively discussed in this chapter are clarified in Chapter Fourteen.

Introduction to **Perek XIV**

This chapter deals with two subjects that are only minimally related to each other. It begins with a continuation of the discussion of the laws of trapping, which began in the previous chapter. Slaughtering is enumerated in the list of thirty-nine categories of primary labor after trapping. This primary category of slaughtering includes two major subcategories, wounding and killing. In order to advance the discussion and to specify the animals for which the prohibition to take a life applies, it is necessary to determine what is considered a living creature.

Clarification of the primary labor of wounding is even more complex. The term wounding as it is used in the Torah denotes shedding blood, whether by causing blood to flow out of the organism or by causing blood contained in the blood vessels to be displaced and accumulate underneath the skin, as in the case of a bruise. This definition necessitates the making of various distinctions pertaining to the laws of wounding on Shabbat. For example, is the skin of all living organisms considered skin in this regard, in which case one who causes any animal an internal wound is liable? Or perhaps there are creatures whose skin is not considered skin for these purposes. The first section of this chapter elucidates this and other questions.

Most of this chapter deals with the laws of healing on Shabbat, a realm which is only indirectly related to wounding. It has already been explained in earlier chapters that the Sages prohibited medical treatment on Shabbat, except in life-threatening situations. It was determined that the reason for this prohibition is to prevent the preparation of medicinal substances on Shabbat. Such preparation involves the prohibited labors of grinding and crushing, as well as other Torah prohibitions. Due to this concern, various medical treatments, even many that do not involve the ingestion of medicine, were prohibited. Thus, this chapter specifies and defines various healing procedures. Some are prohibited because they are well-known cures. Others remain permitted because performance of these actions does not necessarily indicate that one is engaging in a healing practice, since perfectly healthy people also engage in these activities. The explanation of this rule, as well as an enumeration of the circumstances under which it applies, is the subject of this chapter.

מתני' שִׁמְנָה שְׂרָצִים הָאֲמֹרִים בַּתּוֹרָה, הַצֶּדֶן וְהַחֹבֵל בָּהֶן – חַיִּיב. וְשֹׁאֵר שְׂרָצִים וְרִמָּשִׁים, הַחֹבֵל בָּהֶן – פֶּטוּר, הַצֶּדֶן לְצוּרָךְ – חַיִּיב, שֶׁלֹּא לְצוּרָךְ – פֶּטוּר. חֵיהַ יְעוֹף שֶׁבְּרִשּׁוֹתָיו, הַצֶּדֶן – פֶּטוּר, וְהַחֹבֵל בָּהֶן – חַיִּיב.

MISHNA With regard to any of the eight creeping animals^b mentioned in the Torah, one who traps them or woundsⁿ them on Shabbat is liable.¹⁴ The Torah states: “The following shall be impure for you among the creeping animals that swarm upon the earth: The weasel, and the mouse, and the dab lizard^b of every variety; and the gecko, and the land-crocodile, and the lizard, and the skink,^b and the chameleon” (Leviticus 11:29–30). With regard to other abominations and crawling things, one who wounds them is exempt. One who traps them for a specific need is exempt. With regard to animals or birds that are in his possession,¹⁴ i.e., an animal that is domesticated and under someone’s control, one who traps them is exempt; and, however, one who wounds them is liable.

גמ' מִדִּקְדָּנִי “הַחֹבֵל בָּהֶן חַיִּיב” מִכָּלֵל דְּאִיתָ לָהּ עוֹר, מֵאֵן תִּנָּא? אָמַר שְׁמוּאֵל: רַבִּי יוֹחָנָן בֶּן נוּרִי הִיא. דְּתַנּוּ, רַבִּי יוֹחָנָן בֶּן נוּרִי אָמַר: שִׁמְנָה שְׂרָצִים יֵשׁ לָהֶן עוֹרוֹת. רַבָּה בְּרַב הוֹנָא אָמַר רַב: אֶפְּלוּ תִּימָא רַבָּנָן, עַד כָּאֵן לֹא פְּלִיגִי רַבָּנָן עֲלֵיהּ דְּרַבִּי יוֹחָנָן בֶּן נוּרִי – אֶלָּא לְעֵינֵי טוּמְאַה, דְּכַתִּיב: “אֵלֶּה הַטְּמֵאִים לָכֶם” – לְרִבּוּת שְׁעוֹרוֹתֵיהֶן כְּבִשְׁרָן. אָבֵל לְעֵינֵי שַׁבַּת – אֶפְּלוּ רַבָּנָן מוֹדוּ.

GEMARA The Gemara asks: From the fact that it is taught in the mishna: One who wounds them is liable, by inference they have skins. One is liable for inflicting a wound only when there is skin covering the flesh and the blood pools beneath it.ⁿ Who is the *tanna* who teaches this? Shmuel said: It is Rabbi Yohanan ben Nuri, as we learned in a mishna that Rabbi Yohanan ben Nuri says: The eight creeping animals that are listed in the Torah have skins. Their flesh transmits impurity, but their skin does not transmit impurity. The Rabbis say that both the skin and the flesh of some creeping animals transmit impurity. Rabba bar Rav Huna said that Rav said: Even if you say that the mishna is in accordance with the opinion of the Rabbis, the Rabbis disagree with Rabbi Yohanan ben Nuri only with regard to the matter of impurity, as it is written after the Torah lists the creeping animals: “Those are for you the impure among the creeping animals, whoever touches them when they are dead shall become impure until evening” (Leviticus 11:31). The Rabbis derive from the extraneous term: “Those are for you the impure,” to include the fact that the skins of the creatures in the second verse transmit impurity just as their flesh does. However, with regard to the *halakhot* of Shabbat, even the Rabbis concede that their skin is distinct from their flesh.

וְלְעֵינֵי שַׁבַּת לֹא פְּלִיגִי? וְהִתְנַא: הַצֶּדֶן אַחַד מִשְׁמְנָה שְׂרָצִים הָאֲמֹרִים בַּתּוֹרָה – הַחֹבֵל בָּהֶן חַיִּיב, דְּבִרְבִּי יוֹחָנָן בֶּן נוּרִי. וְחִכְמֵי אֲמָרִים: אֵין עוֹר אֶלָּא

The Gemara asks: And, with regard to Shabbat, they do not disagree? Wasn’t the following taught in a *baraita*? One who traps one of the eight creeping animals mentioned in the Torah or one who wounds them is liable; this is the statement of Rabbi Yohanan ben Nuri. And the Rabbis say: The term skin is utilized only

HALAKHA

Trapping creeping animals – צידת שְׂרָצִים: One is liable for trapping or wounding any of the eight creeping animals mentioned in the Torah. One who wounds or traps other creeping animals for no particular need is exempt, although doing so is prohibited. However, one is liable for trapping these animals for a particular need. According to the Rambam, one is liable even for trapping one of these animals for no particular need (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 8:9, 10:21; *Shulḥan Arukh*, *Orah Hayyim* 316:8).

חיה ועוף – שִׁבְרִשּׁוֹתוֹ: On Shabbat, an individual may trap domesticated animals by encouraging them to enter a small enclosure and locking them in there. However, it is prohibited to trap these creatures with one’s hands (*Mishna Berura*). Other authorities are more stringent and prohibit trapping domesticated animals *ab initio* (Rema in the name of *Hagahot HaRif*). This opinion is shared by many later authorities (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:24; *Shulḥan Arukh*, *Orah Hayyim* 316:12).

BACKGROUND

The eight creeping animals – שִׁמְנָה שְׂרָצִים: There is no clear oral tradition with regard to the identity of the eight creeping animals listed in the Torah. Therefore, determining their identity involves educated conjecture. Even commonly accepted identifications, such as the dab lizard [*tzav*] and the mouse [*akhbar*], are subject to debate. In addition, the Talmud’s description of the skins of these animals is insufficient to provide definitive identifications.

Dab lizard [*tzav*] – צָב: Although the term *tzav* commonly refers to the turtle in modern Hebrew, some commentaries assert that the animal that appears on the list of eight impure creeping animals is the *Uromastix aegyptia*, known as the dab lizard. This is a large reptile, up to 56 cm long, found primarily in the Negev. The dab lizard has a hard, spiked tail.



Dab lizard

Skink – חֹמֶט: The various types of *scincidae* [*homot*] are reptiles similar to lizards, but with shorter legs that are sometimes completely withered. The *homot* generally lives in sand, and its skin is tight on its body.



Skink

NOTES

One who...wounds – הַחֹבֵל: Inflicting a wound is not a primary category of labor. It is a subcategory, although the Sages disputed under which primary category it is categorized. Most commentaries conclude that wounding is a subcategory of slaughtering. Therefore, one who inflicts a wound is liable for taking a life. The rationale is that wounding is like partial killing (*Tosafot*; Ramban; Rashba). Other commentaries explain that inflicting a wound is included within the labor of extracting, which is a subcategory of threshing, since inflicting a wound extracts blood from its place (Rambam).

The relationship between skins and a wound – עוֹר וְחֹבֵלָה: According to the mishna and the Gemara, liability for wounding an animal depends on the nature of its skin. Some commentaries explain that since wounding is a subcategory of slaughtering, which was performed in the Temple only on animals with hides, the prohibition against wounding applies only to creatures with skins (Rav Sherira Gaon). According to the authorities who hold that wounding is a subcategory of dyeing, liability is for dyeing the skins (Rashi; Ramban). A third opinion is that the presence of skin on the animal is necessary only to establish liability when blood is not shed. When blood is shed, there is liability even if there is no skin. If an animal does have a skin, one is liable for bruising it even if no blood emerges (Rosh).

HALAKHA

One who wounds creeping animals – החובל בשרצים: One who inflicts a wound upon one of the eight creeping animals listed in the Torah on Shabbat is liable if the act causes a hematoma or a bruise beneath the skin. This ruling is in accordance with the opinion of Rabbi Yohanan ben Nuri, as the Gemara concludes that the Rabbis agree with him with regard to the laws of Shabbat. One is liable for wounding other creatures only if the wound causes them to bleed (Rambam *Sefer Zemanim, Hilkhos Shabbat* 8:9; *Shulhan Arukh, Orah Hayyim* 316:8).

למה שָׁמְנוּ חֲכָמִים. אֲדַרְבֵּה, לְמַה שָׁמְנוּ חֲכָמִים אֵין לָהֶם עוֹר! וְאָמַר אַבְי, הֲכִי קָאָמַר: אֵין עוֹר חִלּוּק מִבֶּשֶׂר אֲלֵא לְמַה שְׁלֵא מִנּוּ חֲכָמִים. אָמַר לִיה רַבָּא: הָא "לְמַה שָׁמְנוּ חֲכָמִים" קָאָמַר! אֲלֵא אָמַר רַבָּא, הֲכִי קָאָמַר: אֵין עוֹר מִטְּמָא כְּבִשְׂר אֲלֵא לְמַה שָׁמְנוּ חֲכָמִים. מְכַלְל דְּרַבִּי יוֹחָנָן בֶּן נוּרִי, הִנֵּךְ נָמִי דְלֵא מִנּוּ חֲכָמִים – מִטְּמָאִין, וְהָא קָתַנְי, רַבִּי יוֹחָנָן בֶּן נוּרִי אָמַר: שְׁמִנָּה שְׂרָצִים יֵשׁ לָהֶן עוֹרוֹת וְלֵא מִטְּמָאִין. [אָמַר רַב] אָדָא בְּרַ מִתְּנָה: תְּרִיץ הֲכִי, וְחֲכָמִים אָמְרִים: לְעֵנִן טוּמְאָה – אֵין עוֹר לְמַה שָׁמְנוּ חֲכָמִים.

וְאֲכַתִּי, לְעֵנִן שְׁבֵת לֹא פְלִיגִי? וְהִתְנָא: הֵצֵד אֶחָד מִשְׁמִנָּה שְׂרָצִים הָאֲמֹרִים בְּתוֹרָה, הַחֹבֵל בָּהֶן – חַיִּיב! בְּשְׂרָצִים שֵׁשׁ לָהֶן עוֹרוֹת. וְאִיזוּ הֵיא חֲבוּרָה שְׂאִינָה חוֹצֶרֶת – נִצָּר הָדֵם אִף עַל פִּי שְׁלֵא יֵצֵא. רַבִּי יוֹחָנָן בֶּן נוּרִי אָמַר: שְׁמִנָּה שְׂרָצִים יֵשׁ לָהֶן עוֹרוֹת.

אָמַר רַב אֲשִׁי: מֵאֵן תִּנָּא קָמָא – רַבִּי יְהוּדָה, דְּאָוִיל בְּתַר גִּישְׁתָּא. דִּתְנִן, רַבִּי יְהוּדָה אָמַר: הִלְטָאָה כְּחוֹלְדָּה. אָבֵל רַבִּנָּן דְּפְלִיגִי עֲלֵיהּ דְּרַבִּי יוֹחָנָן לְעֵנִן טוּמְאָה – לְעֵנִן שְׁבֵת מוֹדִי לִיה. אֵי הֲכִי, הָאִי "דְּבַרִּי רַבִּי יוֹחָנָן בֶּן נוּרִי"? "דְּבַרִּי רַבִּי יוֹחָנָן וּמַחְלוּקְתוֹ מִיבְעִי לִיה!" תִּנִּי "דְּבַרִּי רַבִּי יוֹחָנָן בֶּן נוּרִי וּמַחְלוּקְתוֹ."

with regard to those animals enumerated by the Sages as having skin, since their skin is considered by the Sages to be similar to their flesh. The Gemara asks: **On the contrary, those that the Sages enumerated, whose skin and flesh are equated, do not have skins.** And Abaye said: This is what the *tanna* in the *baraita* is saying: **Only those that the Sages did not enumerate have skin discrete from their flesh.** Rava said to him: **Doesn't the *baraita* say the opposite: That those enumerated by the Sages have skin discrete from their flesh?** Rather, Rava said: **This is what the *baraita* is saying: Only the skin of those animals enumerated by the Sages transmits impurity like flesh.** The Gemara asks: Is that to say by inference that Rabbi Yohanan ben Nuri holds that even the creeping animals not enumerated by the Sages also transmit impurity? Isn't the opposite taught, that Rabbi Yohanan ben Nuri says: The eight creeping animals have skin that does not transmit impurity? Rav Adda bar Mattana said to resolve it this way: **And the Rabbis say: With regard to impurity, those animals enumerated by the Sages do not have skin.** According to this explanation, Rabbi Yohanan ben Nuri and the Rabbis disagree only with regard to the laws of impurity.

But still, is it clear that they do not disagree with regard to the matter of Shabbat? Wasn't it taught in a *baraita*: **One who traps one of the eight creeping animals mentioned in the Torah on Shabbat is liable, as is one who wounds them,**¹ if they are creeping animals that have skins? And what is considered to be an irreversible wound? It is a wound where the blood collects in a single spot beneath the skin, even if it does not emerge. Rabbi Yohanan ben Nuri says: **The eight creeping animals have skins.** Apparently, there is disagreement with regard to Shabbat as well.

Rav Ashi said: **Who is the first *tanna*?** It is Rabbi Yehuda, who follows the texture of the skin. He does not distinguish between those creeping animals whose skin is considered like flesh and those whose skin is discrete from the flesh as the verses may imply; rather, creeping animals are distinguished based on the texture of their skin, as we learned in a mishna that Rabbi Yehuda says: Even though the lizard² is mentioned in the verse, it has the same ruling as the weasel because the weasel has skin discrete from its flesh. However, the Rabbis, who disagree with Rabbi Yohanan with regard to impurity, concede with regard to Shabbat and hold that all creeping animals have skins.³ The Gemara asks: **If so, the phrase in the *baraita*: This is the statement of Rabbi Yohanan ben Nuri, is difficult. It should have said: This is the statement of Rabbi Yohanan ben Nuri and those who disagree with him,** as the Rabbis who disagree with him with regard to impurity concede to him with regard to the laws of Shabbat. The Gemara responds: **This is not difficult. Emend the *baraita* and teach: The statement of Rabbi Yohanan ben Nuri and those who disagree with him.**

BACKGROUND

Lizard [lata'a] – לְטָאָה: The identity of the *lata'a* is almost certainly one of the many species of lizards, *Lacertidae*, that have a body structure similar to the one in the illustration. The length of the male lizard is 15–25 cm. The hands of *Lacertidae* are stretched open and they are fast runners. Their skin is generally so soft that it wrinkles, although in some species the skin is tight on the body.



Small-spotted lizard

NOTES

The skin of creeping animals [sheratzim] – עוֹרוֹת הַשְּׂרָצִים: The dispute between the Rabbis with regard to the skins of creeping animals is based on the midrashic interpretation of the following verses: "The following shall be impure for you among the creeping animals that swarm upon the earth: The rat, and the mouse, and the dab lizard of every variety, and the gecko, and the monitor, and the lizard, and the skink. These are they which are unclean to you among all that swarm" (Leviticus 11:29–31). The Sages assumed that the definite article in the phrase "the swarming things" teaches that the hide of these *sheratzim* transmits impurity in the same way that their flesh does. However,

since the verse uses the term: "The following," at the start of the passage, it also suggests an exclusion that would limit this law in some way. The Rabbis understood that the previous inclusion, that the skin transmits impurity just like the flesh, applies only to the creatures listed in the second verse. However, according to Rabbi Yehuda, this is not derived only from the verses themselves but also by examining the nature of a creature's skin and flesh. Some commentaries argue that all agree that these verses include and exclude. The Rabbis disagree with Rabbi Yehuda only concerning the skin of the lizard; they accept his opinion with regard to all other matters (see Rashba).

בְּעַל מִינֵה לֹוי מְרִבִּי: מִנֵּן לְחִבּוּרָה
שְׂאִינָה חֲזוּרָתָּה? דְּכַתִּיב: "הִי־הַפּוֹךְ כּוֹשִׁי
עוֹרוֹ וְנִמְר חֲבַרְבּוּרָתוֹ". מֵאִי חֲבַרְבּוּרָתוֹ,
אִילִימָא דְקָאִי רִיקְמִי רִיקְמִי, הֵאִי "וְנִמְר
חֲבַרְבּוּרָתוֹ"? נִמְר גּוֹנוֹ מִבְּעִי לִיהִ! אֶלָּא
כּוֹשִׁי, מֵה עוֹרוֹ דְּכּוֹשִׁי אִינָה חֲזוּרָתָּה –
אִף חֲבּוּרָה אִינָה חֲזוּרָתָּה.

Levi raised a dilemma before Rabbi Yehuda HaNasi: From where is it derived that a wound is defined as something irreversible? He answered him that it is derived as it is written: "Can a Cushite change his skin, or a leopard its spots [*havarburotav*]?" (Jeremiah 13:23). The Gemara explains: What does *havarburotav* mean? If you say that they are spotted marks on the leopard's skin, that phrase: Or a leopard its spots, should have been: Or a leopard its colors. Rather, *havarburotav* means wounds, and they are similar to the skin of a Cushite: Just like the skin of a Cushite will not change its color to white, so too a wound is something that does not reverse.

וּשְׂאָר שְׂקָצִים כו'. הָא הוֹרֵגֵן – חֲתִיב,
מֵאֵן תִּנָּא? אָמַר רַבִּי יְרֵמְיָה: רַבִּי אֱלִיעֶזֶר
הֵיא, דְּתַנָּא, רַבִּי אֱלִיעֶזֶר אָמַר: הַהוּרָג
כִּינָה בְּשַׁבָּת – כְּהוֹרֵג גָּמַל בְּשַׁבָּת.
מִתְקִיף לֶה רַב יוֹסֵף: עַד כָּאֵן לֹא פְּלִיגִי
רַבִּנָּן עֲלֵיהֶּ דְּרַבִּי אֱלִיעֶזֶר אֶלָּא בְּכִינָה,
דְּאִינָה פְּרָה וְרֵבָה. אָבֵל שְׂאָר שְׂקָצִים
וּרְמָשִׁים דְּפָרִין וְרֵבִין – לֹא פְּלִיגִי.

We learned in the mishna: And one who traps other abominations is exempt. The Gemara infers: If one kills them he is liable. The Gemara asks: Who is the *tanna* who holds this opinion? Rabbi Yirmeya said: It is the opinion of Rabbi Eliezer, as it was taught in a *baraita* that Rabbi Eliezer says: One who kills lice on Shabbat is akin to one who kills a camel on Shabbat. Apparently, he is the Sage who holds that one is liable for killing any living creature. Rav Yosef strongly objects to this: Perhaps this is not so, as the Rabbis disagree with Rabbi Eliezer only with regard to lice, which do not procreate. However, with regard to other abominations and crawling things that procreate,¹ they do not disagree with him.

וּשְׁנֵיהֶם לֹא לְמַדּוּהָ אֶלָּא מֵאִילִים, רַבִּי
אֱלִיעֶזֶר סָבַר: בְּאִילִים, מֵה אִילִים שְׁשִׁי
בְּהֵן נְטִילַת נֶשֶׁמָה – אִף כֹּל שֵׁישׁ בּו
נְטִילַת נֶשֶׁמָה. וְרַבִּנָּן סָבְרִי: בְּאִילִים,
מֵה אִילִים דְּפָרִין וְרֵבִין – אִף כֹּל דְּפָרָה
וְרֵבָה. אָמַר לִיה אֲבִי: וְכִינָה אִין פְּרָה
וְרֵבָה? וְהָאֵמַר מֶר: יוֹשֵׁב הַקֶּדוֹשׁ בְּרוּךְ
הוּא וְזֶן מְקַרְנֵי רִאמִּים וְעַד בִּיצֵי כִינִים!
מֵינָא הוּא דְּמִיקְרִי "בִּיצֵי כִינִים".

And fundamentally they both derived this *halakha* from the red-dened ram skins used to cover the Tabernacle. Rabbi Eliezer holds that liability for killing an animal on Shabbat exists only with regard to animals like rams. Just as rams have their lives taken and die, so too, one is liable for killing any animal whose life is taken, including lice. And the Rabbis also hold that liability for killing an animal on Shabbat exists only with regard to animals like rams. Just as rams procreate, so too, one is liable for killing any creature that procreates. One is not liable for killing lice, which do not procreate. Abaye said to Rav Yosef: And lice do not procreate? Didn't the Master say: The Holy One, Blessed be He, sits and sustains everything from the horns of wild oxen to the eggs of lice? Apparently, lice reproduce by laying eggs. Rav Yosef answered him: There is a species of insect that is called lice eggs, but lice themselves do not actually lay eggs.

וְהַתְנָא: טְפוּי וּבִיצֵי כִינִים! מֵינָא הוּא
דְּמִיקְרִי "בִּיצֵי כִינִים". וְהֵרִי פְּרַעוֹשׁ
דְּפָרָה וְרֵבָה. וְתַנָּא: הַצֵּד פְּרַעוֹשׁ
בְּשַׁבָּת, רַבִּי אֱלִיעֶזֶר מַחֲיִיב וְרַבִּי יְהוֹשֻׁעַ
פּוֹטֵר! אָמַר רַב אֲשִׁי: צִידָה אֶהְרִיגָה
קְרִמִּית? עַד כָּאֵן לֹא פְּלִיגִי רַבִּי אֱלִיעֶזֶר
וְרַבִּי יְהוֹשֻׁעַ, אֶלָּא דְּמֶר סָבַר: דְּכָר שְׂאִין
בְּמִינוֹ נִצּוּד – חֲתִיב, וּמֶר סָבַר: פְּטוֹר.
אָבֵל לְעִנְיֵן הַרְיָגָה – אֶפְּלִי רַבִּי יְהוֹשֻׁעַ
מוֹדָה.

Again he asked: And wasn't it taught in the *baraita* that lists types of creeping animals: *Tefuyei*, a type of insect, and lice eggs? He answered him: There is a species of insect called lice eggs. Again he asked: And still, there is the issue of a flea, which procreates according to all opinions, and nevertheless, it was taught in a *baraita*: With regard to one who traps a flea on Shabbat, Rabbi Eliezer deems him liable and Rabbi Yehoshua deems him exempt. Rav Ashi said: Are you raising a contradiction between trapping with killing? Rabbi Eliezer and Rabbi Yehoshua disagree only in that one Sage, Rabbi Eliezer, holds that one is liable for trapping even a species that is not typically trapped;² and one Sage, Rabbi Yehoshua, holds that one is exempt in that case. However, with regard to killing, even Rabbi Yehoshua concedes that one is liable.

HALAKHA

שְׂאָר – שְׂקָצִים וּרְמָשִׁים דְּפָרִין וְרֵבִין: The Sages all agree that one who kills vermin and crawling things on Shabbat is liable if they are of a species that procreates (Rambam *Sefer Zemanim, Hilkhot Shabbat* 11:2; *Tur, Oraḥ Ḥayyim* 316:9).

One who traps creeping animals – הַצֵּד שְׂרָצִים: One who traps

creeping animals on Shabbat is liable only if they are a type of animal that people generally trap. However, one is not liable for trapping fleas and other similar creatures, which are not generally trapped. However, it is prohibited to do so by rabbinic decree. One who kills creatures, even of this latter type, is liable (Rambam *Sefer Zemanim, Hilkhot Shabbat* 11:2; *Shulḥan Arukh, Oraḥ Ḥayyim* 316:9).

השולח דג מן הים – One who removes a fish from the sea – One who removes a fish from the sea on Shabbat and leaves it out of the water is liable for slaughtering, if an area of skin the size of a sela dries up between the fins of the fish (Rambam Sefer Zemanim, Hilkhos Shabbat 11:1).

One who reached his hand into the innards of an animal on Shabbat and detached a fetus that was in its womb – הושיט ידו למעי בהמה ודלדל עובר שבמעיה: One who inserts his hand into an animal's innards on Shabbat and detaches a fetus from its womb is liable for slaughtering (Maggid Mishne; Rambam Sefer Zemanim, Hilkhos Shabbat 11:1).

”הצדן לצורך חייב וכו’.” מאן תנא? אמר רב יהודה אמר רב: רבי שמעון היא. דאמר מלאכה שאין צריכה לגופה – פטור עליה.”

איכא דמתני לה אהא: המפס מורסא בשבת, אם לעשות לה פה – חייב, אם להוציא ממנה לחה – פטור. מאן תנא? אמר רב יהודה אמר רב: רבי שמעון היא. דאמר מלאכה שאין צריכה לגופה – פטור עליה.”

ואיכא דמתני לה אהא: הצד נחש בשבת, אם מתעסק בו שלא ישכנו – פטור, אם לרפואה – חייב. מאן תנא? אמר רב יהודה אמר רב: רבי שמעון היא. דאמר מלאכה שאינה צריכה לגופה – פטור עליה.”

אמר שמואל: השולח דג מן הים, בין שיבש בו פסלע – חייב. אמר רבי יוסי בר אבין: ובין סנפיריו. אמר רב אשי: לא תימא יבש ממש, אלא אפילו דעבד רי’.

אמר מר בר המדורי אמר שמואל: הושיט ידו למעי בהמה ודלדל עובר שבמעיה – חייב. מאי טעמא? אמר רבא: בר המדורי אסברא לי, לאו אמר רב ששת: האי מאן דתלש כשותא מהיזמי והיגי – מיתחייב משום עוקר דבר מגידולו, הכא נמי – מיתחייב משום עוקר דבר מגידולו. אמר אביו: האי מאן דתלש

We learned in the mishna that **one who traps creeping animals for a specific need is liable**, but one who traps them for no specific need is exempt. The Gemara asks: **Who is the tanna** who holds this way? Rav Yehuda said that Rav said: **It is Rabbi Shimon, who said that for a prohibited labor performed not for its own sake, one is exempt.**

Some taught the statement of Rav in reference to this: With regard to **one who drains an abscess in a boil containing pus on Shabbat**, if his intention is to **create an opening for it he is liable**; if his intention is to **remove pus from it he is exempt**. The Gemara asks: **Who is the tanna** who holds this way? Rav Yehuda said that Rav said: **It is Rabbi Shimon, who said that for a prohibited labor performed not for its own sake, one is exempt.**

Some teach the statement of Rav as referring to this: With regard to **one who traps a snake on Shabbat**, if he **engages in its trapping so it does not bite him, he is exempt**; if he does so for medicinal purposes he is liable. The Gemara asks: **Who is the tanna** who holds this way? Rav Yehuda said that Rav said: **It is Rabbi Shimon, who said that for a prohibited labor performed not for its own sake, one is exempt.**

Shmuel said: With regard to **one who removes a fish from the sea**,^H when an area on the skin of the fish has dried up the size of a sela, he is liable. A fish in that condition cannot survive, and therefore the individual who removed it from the water is liable for killing it. Rabbi Yosei bar Avin said: That is so as long as the skin that dried is **between its fins**. Rav Ashi said: **Do not say that this halakha applies only in a case where it actually dried**. Rather, it applies **even if the fish has dried to the extent that mucus has formed**, and if one were to touch that area it would stick to his fingers.

Mar bar Hamdurei said that Shmuel said: **One who reached his hand into the innards of an animal on Shabbat and detached a fetus that was in its womb^{NH} is liable**. The Gemara asks: **What is the reason for this?** It does not make sense to consider the fetus as a full-fledged living creature. Rava said: Bar Hamdurei explained this to me. **Didn't Rav Sheshet say: One who detaches hops^B on Shabbat from the shrubs and thorns on which they are growing is liable for uprooting an object from its place of growth?** Here, too, in the case of the fetus, **one is liable for uprooting an object from its place of growth**. Abaye said: **One who detached**

BACKGROUND

Hops – כשותא: Hops is a plant that belongs to the Convolvulaceae family. The various species of hops wrap themselves around other plants and extract their nutrients from them. They have very thin stalks and do not have leaves. They feed by drawing nutrition through root-like ducts, which penetrate the stalk of their host plant. Hops can be found throughout Israel, primarily attached to annual plants or small bushes.



Hops wrapped around another plant

NOTES

One who reached his hand into the innards of an animal and detached a fetus that was in its womb – הושיט ידו למעי בהמה ודלדל עובר שבמעיה: Some commentaries explain that the Gemara's term for detaching a fetus from an animal's womb, uprooting an object from its place of growth, is a figure of speech. One who detaches a fetus from the womb of an animal is indeed liable for taking a life (Ramban). Other commentaries posit that an unborn fetus is not a living creature. Therefore, one is not liable for killing it; one is liable only for uprooting an

item from its place of growth. The Me'iri maintains that one is liable for taking a life only if the fetus dies immediately when he detaches it. Some authorities say that one who uproots an object from its place of growth is liable for the primary category of reaping. A similar conclusion emerges from the Jerusalem Talmud, which indicates that one who removes a fish from water is liable for reaping. There are those who say that one who detaches a fetus is liable for shearing (Tosafot; Tosefot Rid).

פִּטְרָא מֵאוּנָא דְחֻצְבָא – מִיִּחְיִיב מְשֹׁם
עוֹקֵר דְּבַר מְגִידוּלָא. מִתִּיב רַב אוֹשְׁיָא:
הַתּוֹלֵשׁ מֵעֵצִיץ נִקְוָב – חֵיִיב, וְשְׂאִינו
נִקְוָב – פֶּטוּר. הֲתָם לָאוּ הֵיִינוּ רַבִּיתִיָּה,
הֲכֵא – הֵיִינוּ רַבִּיתִיָּה.

”חִיָּה וְעוֹף כּו’”. אָמַר רַב הוּנָא: בּוֹתְבִין
תְּפִילִין עַל גְּבִי עוֹר שֶׁל עוֹף טָהוֹר. אָמַר רַב
יוֹסֵף: מֵאֵי קִמְשָׁמַע לָן – דְּאֵית לִיה עוֹר –
תִּנְיָנָא: הַחֹבֵל בָּהֶן חֵיִיב! אָמַר לִיה אֲבִי:
טוֹבָא קִמְשָׁמַע לָן, דְּאֵי מִמִּתְנִיתִין – הָוָה
אֲמִינָא: כִּיּוֹן דְּאֵית בֵּיה נִקְבֵי נִקְבֵי – לֹא,
קִמְשָׁמַע לָן בְּדִאֲמָרִי בְּמַעֲרָבָא: כֹּל נִקְבֵי
שְׁהֲדִי עוֹבֵרֵת עָלָיו – אֵינוּ נִקְבֵי.

מִיִּתְיָב רַבִּי זִירָא: ”בְּכַנְפָּיו” לְהַכְשִׁיר אֶת
הָעוֹר. וְאֵי סִלְקָא דְּעֵתָךְ עוֹר הוּא. הִיכִי
מִרְבִּי לִיה קִרָּא? אָמַר לִיה אֲבִי: עוֹר הוּא.
וְרַחֲמָנָא רַבִּינֵיה.

אֵיכָא דְאֲמָרִי, אָמַר רַבִּי זִירָא: אֵף אֲנִי נִמִּי
תִּנְיָנָא: ”בְּכַנְפָּיו” לְרִבּוֹת אֶת הָעוֹר. אֵי
אֲמַרְתָּ בְּשִׁלְמָא עוֹר הוּא הֵיִינוּ דְאֵיטְרִיךְ
קִרָּא לְרַבּוּיָּה, אֵלָּא אֵי אֲמַרְתָּ לָאוּ עוֹר
הוּא – אֲמַאי אֵיטְרִיךְ קִרָּא לְרַבּוּיָּה?
אָמַר לִיה אֲבִי: לְעוֹלָם אֵימָא לָךְ ”לָאוּ
עוֹר הוּא”, וְאֵיטְרִיךְ. סִלְקָא דְּעֵתָךְ
אֲמִינָא: כִּיּוֹן דְּאֵית בֵּיה פִּרְצֵי פִּרְצֵי –
מֵאִיס, קִמְשָׁמַע לָן.

בְּעָא מִינֵיהּ מַר בְּרִיה דְּרַבִּינָא מַרְבַּ נַחְמָן
בְּרִי יִצְחָק: מַהוּ לְכַתּוּב תְּפִילִין עַל גְּבִי עוֹר
שֶׁל דָּג טָהוֹר? אָמַר לִיה: אִם יֵבֵא אֱלִיָּהוּ
וְיֹאמַר, מֵאֵי יָבֵא אֱלִיָּהוּ וְיֹאמַר? –
אֵילִימָא אֵי דְאֵית לִיה עוֹר אֵי דְלִית לִיה
עוֹר – הָא חִיּוֹן דְּאֵית לִיה עוֹר! וְעוֹד,
הֲתָנִן: עֲצָמוֹת הָדָג וְעוֹרוֹ מְצִילִין בְּאֵהָל
הַמֵּת! אֵלָּא: אִם יֵבֵא אֱלִיָּהוּ וְיֹאמַר אֵי
פִּסְקָא זִוְהָמָא מִינֵיהּ, אֵי לֹא פִּסְקָא זִוְהָמָא
מִינֵיהּ.

a mushroom^H from the handle of a pitcher^N on Shabbat is liable for uprooting an object from its place of growth. Rav Oshaya raised an objection from that which we learned: **One who detaches a plant on Shabbat from a perforated flowerpot is liable, and one who detaches a plant from an imperforate pot is exempt.** A plant that grows in an imperforate pot is not considered connected to the ground. One who detaches it is not uprooting it from its place of growth. The Gemara answers: **There, in the case of an imperforate pot, that is not the way a plant grows.** Plants are generally planted in the ground; a plant in a perforated pot is disconnected from the ground. Whereas here, in a perforated pot, that is the way it grows. The plant is considered connected to the ground.

We learned in the mishna: One who wounds an animal or a bird on Shabbat is liable. Rav Huna said: **One may write phylacteries on the skin of a kosher bird.**^H Rav Yosef said: What is he teaching us with this statement? If he is teaching us that a bird has skin, we already learned that: **One who wounds an animal or a bird is liable.** Since there is liability only if a wound forms beneath the skin, apparently a bird has skin. Abaye said to him: **He is teaching us many things, for if I had only learned from the mishna, I would have said the following: Since the skin of a bird has many holes from which the feathers grow, one should not be allowed to write sacred matters on it. Therefore, he teaches us as they say in the West, i.e., in Eretz Yisrael: Any hole over which ink passes and does not penetrate it, is not considered a hole^H that invalidates the writing.**

Rabbi Zeira raised an objection to the conclusion that the skin of a bird is considered skin. Didn't we learn in a *baraita* that the verse: "And he shall rend it by its wings without creating a division, and the priest shall burn it upon the altar on the wood that is on the fire" (Leviticus 1:17), teaches that the priest must prepare even the skin to make it acceptable for the altar? That is not the case when animals are offered, as their skin is flayed before they are sacrificed. **And if it should enter your mind that the skin of a bird is skin, how does the verse include it among that which the priest prepares for the altar?** Abaye said: This is not difficult. Indeed, **it is skin, and nevertheless, the Torah includes it as a biblical decree, specifying that the skin of a bird is sacrificed.**

Some say that Rabbi Zeira said: We, too, have also learned support for this *halakha*: The verse: "By its wings," comes to include the skin.^H Granted, if you say that the skin of a bird is skin, that is the reason that the verse needs to explicitly include it. The verse is teaching us that even though the bird's skin is skin, it must still be sacrificed. **However, if you say that the skin of a bird is not skin, why is a verse necessary to include it?** Clearly, it is sacrificed. Abaye said to him: That is not proof. **Actually, I can say to you that it is not skin and, nevertheless, it must be included in the verse. Had the skin of the bird not been specifically included, it might have entered your mind to say that since there are many holes in it, it is repulsive and unfit for the altar. Therefore, the verse teaches us that it is sacrificed. There is no proof that the skin of a bird is considered skin.**

Mar, son of Ravina, raised a dilemma before Rav Nahman bar Yitzhak: What is the *halakha* with regard to writing phylacteries on the skin of a kosher fish?^H Rav Nahman bar Yitzhak said to him: **If Elijah comes and says.**^N The Gemara asks: What does the phrase: **If Elijah comes and says, mean?** What requires clarification? **If you say that whether a fish has skin or whether it does not have skin requires clarification, we see that it has skin. And furthermore, we learned in a mishna: Fish bones and skin protect the objects covered with them from becoming impure under a tent with a corpse.**^H Since fish bones and skin do not contract impurity, they constitute a barrier to impurity. Apparently, fish have skin. **Rather, if Elijah comes and says whether its foul smell has ceased from it or whether its foul smell has not ceased from it.**

HALAKHA

Detaching a mushroom – תְּלוּשֶׁת פִּטְרִיָּה: One who uproots a growing object on Shabbat is liable even if the object is not attached to the ground. Examples of this are grass growing on the surface of a barrel or a mushroom growing on the handle of a pitcher (*Maggid Mishne*; *Rambam Sefer Zemanim, Hilkhot Shabbat* 8:3; *Mishna Berura*; *Shulhan Arukh, Orach Hayyim* 336:5).

One may write phylacteries on the skin of a kosher bird – כּוֹתְבִין תְּפִילִין עַל גְּבִי עוֹר שֶׁל עוֹף – טָהוֹר: It is permitted to write sacred books, a *mezuzah*, and phylacteries on the skin of a kosher bird, even if it was not slaughtered (*Rambam Sefer Ahava, Hilkhot Tefillin UMezuza VeSefer Torah* 1:10 and *Sefer Tahara, Hilkhot Kelim* 1:4; *Shulhan Arukh, Orach Hayyim* 32:12 and *Yoreh De'a* 27:1).

A small hole – נִקְבֵי קָטָן: A hole in the parchment of a Torah scroll that ink can pass over without affecting the shape of the letter or dividing it in two is not considered a hole. It is permitted to write over it (*Rambam Sefer Ahava, Hilkhot Tefillin UMezuza VeSefer Torah* 1:20; *Shulhan Arukh, Orach Hayyim* 32:13).

By its wings comes to include the skin – בְּכַנְפָּיו: The skin of a bird's neck is not burnt on the altar (*Rambam Sefer Avoda, Hilkhot Ma'aseh HaKorbanot* 6:21).

Writing on the skin of a fish – כּוֹתְבִין עַל עוֹר דָּג – טָהוֹר: One may not write a Torah scroll or other sacred scrolls on fish skin. Since the dilemma with regard to this issue remained unresolved, the *halakha* is stringent in this matter (*Rambam Sefer Ahava, Hilkhot Tefillin UMezuza VeSefer Torah* 1:10 and *Sefer Tahara, Hilkhot Kelim* 1:4; *Shulhan Arukh, Orach Hayyim* 32:12 and *Yoreh De'a* 27:1).

Fish bones and skin protect objects under a tent with a corpse – עֲצָמוֹת הָדָג וְעוֹרוֹ מְצִילִין בְּאֵהָל: Fish bones and skin do not contract impurity. Therefore, they create a protective barrier in the presence of impurity (*Rambam Sefer Tahara, Hilkhot Tumat Met* 6:1).

NOTES

One who detached a mushroom from the handle of a pitcher – **תְּלוּשֶׁת פִּטְרָא** – מֵאוּנָא דְחֻצְבָא: There is a difference between detaching a mushroom from the handle of a pitcher and plucking a plant from a pot with a hole in the bottom. Although a mushroom grows on the ground, it does not draw its nutrients from the earth. Consequently, the legal status of a mushroom on the handle of a pitcher is the same as that of a mushroom that grows in the ground (Rabbeinu Hananel).

אם יבא אליהו ויאמר – If Elijah comes and says: There is a well-known principle that when Elijah the Prophet appears, he will not prohibit, permit, or introduce new laws. This is based on the principle that a prophet is neither permitted to legislate law nor even resolve halakhic dilemmas. Nevertheless, when the Gemara declares that we will wait until Elijah comes, it means that he will clarify questions of fact utilizing his prophetic powers.

A great man is coming from the West – גברא רבא קאמי – Rav Hai Gaon cites a different version of this Gemara. In his version, Shmuel heard previously that a great man was coming from Eretz Yisrael to Babylonia. When he saw the waters rising and noticed they were murky, he realized that the passengers on the boat would drink this water. As a doctor, he determined that the great man, his guest, would develop an intestinal ailment from drinking that water.

From where is it derived that prohibited blood is red – מניין לדם שהוא אדום: This question is important primarily with regard to the laws of menstrual impurity. According to the Torah, menstrual blood transmits severe impurity. However, not every discharge emitted by a woman is considered blood. Therefore, it is necessary to clarify which color discharges are defined as blood. Discharges similar in color to blood are thereby determined to have the same legal status as blood. The halakhic conclusion is that any discharge whose color is similar to red is impure blood. Discharges of other colors are not considered blood and do not render the woman impure.

HALAKHA

From where is it derived that prohibited blood is red – מניין לדם שהוא אדום: The blood mentioned in the Torah is red. Therefore, red menstrual blood transmits impurity (Rambam *Sefer Kedusha*, *Hilkhot Issurei Bia* 5:6; *Shulhan Arukh*, *Yoreh De'a* 188:1).

שמואל וקרנא הוו יתבי אגודא דנהר מלבא, חזינהו למיא דקא דלו ועבדי. אמר ליה שמואל לקרנא: גברא רבא קאמי ממערבא, וחייש במעיה, וקא דלו מיא לאקבולי אפיה קמיה, זיל תהי ליה אקנקניה. אזל אשכחיה לרב, אמר ליה: מניין שאין בותבין תפילין אלא על גבי עור בהמה טהורה? אמר ליה, דכתיב: "למען תהיה תורת ה' בפיך" – מן המותר בפיך. מניין לדם שהוא אדום? שנאמר: "ויראו מואב מנגד את המים אדמים כדם".

מניין למילה שבאותו מקום? נאמר כאן "ערלתו" ונאמר להלן "ערלתו", מה להלן דבר שעושה פרי – אף כאן דבר שעושה פרי. אימא לבו, דכתיב: "וימלתם את ערלת לבבכם", אימא אזנו, דכתיב: "הנה ערלה אזנם"? דמן ערלתו תמה מערלתו תמה, ואין דמן ערלתו תמה מערלתו שאינה תמה.

אמר ליה: מאי שמך? קרנא. אמר ליה: יהא רעוא דתיפוק ליה קרנא בעיניה.

לסוף עייליה שמואל לביתיה, אוכליה נהמא דשערי וכסא דהרסנא, ואשקיה שויכרא, ולא אחוי ליה בית הפסא, כי היכי דלישתלשל. לייט רב ואמר: מאן דמצערן – לא לוקמוה ליה בני. וכן הוה.

בתנאי: מניין למילה שבאותו מקום – נאמר כאן "ערלתו" ונאמר להלן "ערלתו", מה להלן דבר שעושה פרי, אף כאן דבר שעושה פרי, דברי רבי, אימא לבו, דכתיב: "וימלתם את ערלת לבבכם", אימא אזנו, דכתיב: "הנה ערלה אזנם"? דמן ערלתו תמה מערלתו תמה, ואין דמן ערלתו תמה מערלתו שאינה תמה.

It was reported: Shmuel and Karna were sitting on the bank of the Malka River. They saw that the water was rising and was murky. Shmuel said to Karna: A great man is coming from the West,^N Eretz Yisrael, and his intestines are aching, and the water is rising to greet him. Go sniff out his container, i.e., see if he is a Torah scholar. Karna went and found Rav, who was the Sage that came from Eretz Yisrael, and he asked him several questions to test him. He said to him: From where is it derived that one may write phylacteries only on the hide of a kosher animal? Rav said to him that this *halakha* is as it is written: "And it shall be a sign for you on your arm, and a reminder between your eyes, so that God's Torah will be in your mouth" (Exodus 13:9). Only hide from those animals that are permitted to be placed in your mouth, i.e., may be eaten, may be used for phylacteries. Karna then asked him: From where is it derived that prohibited blood is red?^{NH} Karna asked Rav this to determine which shades of menstrual blood are impure. Rav said to him that it is as it is stated: "And the Moabites saw the water from afar, red like blood" (II Kings 3:22).

Karna also asked: From where is derived that circumcision is performed in that place? Rav answered him: It is stated here, with regard to circumcision: "And on the eighth day he shall circumcise the flesh of his foreskin [*orlato*]" (Leviticus 12:3), and it is stated there, with regard to recently planted trees: "And when you come to the land and plant all types of fruit trees, and you shall count the fruit thereof as forbidden [*orlato*]; three years shall it be as forbidden unto you, it shall not be eaten." (Leviticus 19:23). Just as there the Torah is referring to a tree, which is an item that bears fruit, here, too, in the case of circumcision, *orla* is referring to an item that bears fruit. He asked him: Say that circumcision should be performed on one's heart, as it is written: "And you shall circumcise the foreskin of [*orlat*] your heart" (Deuteronomy 10:16)? Say that circumcision should be performed on one's ear, as it is written: "Behold, their ear is dull [*areila*] and they cannot listen" (Jeremiah 6:10)? Rav said to him: One derives the meaning of the complete form *orlato* from another instance of the complete form *orlato*; and one does not derive the complete form *orlato* from the incomplete form *orlat*, which modifies another word, as is also the case with the word *areila*.

Since Rav understood that Karna came to test him, he said to him: What is your name? He told him: Karna. He said to him: May it be the will of God that a horn [*karna*] will emerge in his eyes.

Ultimately, Shmuel brought him into his house. He fed him barley bread and small fried fish, and gave him beer to drink, and he did not show him the lavatory so he would suffer from diarrhea. Shmuel was a doctor and he wanted to relieve Rav's intestinal suffering by feeding him food that would relieve him. Since Rav was unaware of Shmuel's intention, he became angry at him. Rav cursed Shmuel and said: Whoever causes me suffering, let his children not survive. Although Rav eventually discovered Shmuel's good intentions, his curse was fulfilled, and so it was that Shmuel's children did not survive long.

The Gemara comments: The issue mentioned above is in fact a dispute between *tanna'im*. It was asked in a *baraita*: From where is it derived that *circumcision* is performed in that place? It is stated here, in the case of circumcision, *orlato*. And it is stated there, with regard to trees, *orlato*. Just as there the Torah is referring to a tree, which is an item that bears fruit, here too, *orla* is referring to an item that bears fruit; this is the statement of Rabbi Yoshiya. Rabbi Natan says: This verbal analogy is not necessary, as it says: "And an uncircumcised man who does not circumcise the flesh of his foreskin [*orlato*], his soul will be cut off from his nation, he has broken My covenant" (Genesis 17:14). From the fact that it says: An uncircumcised man, it is derived that circumcision is in the place that distinguishes between a male and a female.

תנו רבנן: כותבין תפילין על גבי עור בהמה טהורה, ועל גבי עור חיה טהורה, ועל גבי עור נבלות וטירות שלהן. ונכרכות בשערן, ונתפרות בגידן, והלכה למשה מסיני שהתפילין נכרכות בשערן ונתפרות בגידן. אבל אין כותבין לא על גבי עור בהמה טמאה, ולא על גבי עור חיה טמאה, ואינו צריך לומר על גבי עור נבלה וטירה שלהן, ואין נכרכין בשערן ואין נתפרות בגידן.

וזה שאילה שאל ביותסי אחד את רבי יהושע הגרסי: מניין שאין כותבין תפילין על עור בהמה טמאה? דכתיב: "למען תהיה תורת ה' בפיך" – מדבר המותר בפיך. אלא מעתה על גבי עור נבלות וטירות אל יכתבו! אמר ליה: אמשול לך משל, הא למה הדבר דומה, לשני בני אדם שנתחייבו הריגה למלכות, אחד הרגו מלך ואחד הרגו איספקליטור, איזה מהן משובח? הוי אומר: זה שהרגו מלך. אלא מעתה יאכלו! אמר ליה: התורה אמה "לא תאכלו כל נבלה" ואת אמרת יאכלו? אמר ליה: קאלוס.

The Gemara cites similar proofs. The Sages taught: One may write phylacteries on the hide of a kosher domesticated animal, and on the hide of a kosher non-domesticated animal, and on the hides of their unslaughtered carcasses [*neveilot*], and on the hides of animals with a condition that will cause them to die within twelve months [*tereifot*].⁴ And one may wrap the parchment with the hair of these animals⁴ and sew them with their sinews; and it is a *halakha* transmitted to Moses from Sinai that the parchment of phylacteries may be wrapped with the hair of these animals and sewn with their sinews. But one may not write on the hide of a non-kosher animal, or on the hide of a non-kosher undomesticated animal, and it goes without saying that one may not write on their skins when they are *neveilot* or *tereifot*. And one may not wrap the parchment with the hair of non-kosher animals, nor may one sew them with their sinews.

And this question was asked by a Boethusian⁸ to Rabbi Yehoshua HaGarsi: From where is it derived that one may not write phylacteries on the hide of a non-kosher animal? He said to him, it is as it is written: "So that God's Torah will be in your mouth." The Rabbis derived that one may write the passages only on an item that is permitted to be placed in one's mouth, i.e., eaten. He said to him: If that is so, on the skin of *neveilot* and *tereifot* coming from kosher animals, one should not write phylacteries, as they may not be eaten. He said to him: I will tell you a parable. To what is this similar? To two people who were sentenced to death by the king. One was killed by the king himself, and one was killed by an executioner [*ispaklitor*].¹ Which one is more praiseworthy? You must say: The one that the king himself killed. Therefore, an animal that died at the hands of Heaven and not by a human action is superior. He said to him: If so, then the *neveilot* and *tereifot* should be eaten, as they were killed by the king. He said to him: The Torah said: "Do not eat any *neveila*" (Deuteronomy 14:20) and you say they should be eaten? A Torah decree determines that they may not be eaten, but that does not mean they are inferior. The Boethusian said to him: Well put [*kalos*].¹

מתני' אין עושין הילמי בשבת,

MISHNA One may not make brine [*hilmei*]^L on Shabbat,

כתיבה על עור – *neveilot*: One may write a Torah scroll and other sacred articles on the hides of domesticated and non-domesticated kosher animals and birds, even when they were not halakhically slaughtered (Rambam *Sefer Ahava*, *Hilkhot Tefillin UMezuza VeSefer Torah* 1:10 and *Sefer Tahara*, *Hilkhot Kelim* 1:4; *Shulhan Arukh*, *Orah Hayyim* 32:12 and *Yoreh De'a* 27:1).

One may wrap the parchment with the hair of these animals – *נכרכות בשערן*: The passages of Torah text that are inserted into phylacteries are wrapped using the hair of kosher animals and are sewn with their sinews (Rambam *Sefer Ahava*, *Hilkhot Tefillin UMezuza VeSefer Torah* 3:1; *Shulhan Arukh*, *Orah Hayyim* 32:44).

BACKGROUND

Boethusian – *ביתוסים*: The Boethusians were a sect similar to the Sadducees, who rejected the authority and customs of the Sages. According to the Talmud, this sect was named after its founder, Boethus. The exact differences between this sect and the Sadducees are unknown because the terms are used interchangeably in some sources. Apparently, the Boethusians followed the Written Torah based on their own interpretations, e.g., they always celebrated the festival of Shavuot on Sunday. Nevertheless, they may have been similar to the Pharisees in their basic outlook.

LANGUAGE

Executioner [*ispaklitor*] – *איספקליטור*: From the Latin speculator, meaning government inspector, messenger, or weapons bearer. In the Talmud, the term *ispaklitor* refers to royal messengers in various capacities.

Well put [*kalos*] – *קאלוס*: From the Greek κάλος, *kalos*, meaning beautiful. In this context, it is used as a term of praise and excitement.

Brine [*hilmei*] – *הילמי*: From the Greek ἄλμη, *halmē*, meaning a concentrated salt solution.

NOTES

Salt water and brine – *מי מלח והילמי*: It is stated in the Jerusalem Talmud that the difference between salt water and brine is that salt water does not require expert knowledge to prepare but brine does.

Perek XIV
Daf 108 Amud b

אבל עושה הוא את מי המלח, וטובל בהן פתו, ונותן לתוך התבשיל. אמר רבי יוסי: והלא הוא הילמי, בין מרובה ובין מועט! ואילו הן מי מלח המותרין – נותן שמן לכתחלה לתוך המים או לתוך המלח.

גמ' מאי קאמר? אמר רב יהודה אמר שמואל, דכי קאמר: אין עושין מי מלח מרובין, אבל עושה הוא מי מלח מועטין.

but one may make salt water and dip one's bread in it, and place it in cooked food. Rabbi Yosei said: But isn't it still brine,^N whether it is a large quantity or whether it is a small quantity? And this is the type of salt water that is permitted: Salt water in which one places oil initially into the water or into the salt. This is salt water prepared not in the usual manner.^H

GEMARA With regard to that which was stated in the mishna, the Gemara asks: What is the *tanna* saying with regard to the distinction between brine and salt water? Rav Yehuda said that Shmuel said: This is what he is saying: One may not prepare a large quantity of salt water, brine, on Shabbat, but one may prepare a small quantity of salt water.

HALAKHA

Preparing salt water on Shabbat – *עשיית מי מלח בשבת*: One may not prepare a large quantity of salt water on Shabbat because of the similarity between this action and the primary category of tanning. However, it is permitted to prepare a small amount of salt water to

add to cooked food. This ruling is in accordance with the opinion of the first *tanna*, whose opinion is accepted as the *halakha* in tractate *Eiruv* in the dispute with Rabbi Yosei (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:10; *Shulhan Arukh*, *Orah Hayyim* 321:2).

Fish brine [*muraisa*] – מוריֶסָא: The origin of this word is unknown. Some think it is from the Greek *άλμυρίς*, *almuris*, meaning something salty, or possibly from the Latin *muria*, meaning brine.

אמר רבי יוסי: "והלא הוא הילמי בין מרובין בין מועטין". איבער לא להו: רבי יוסי, לאסור או להתיר? אמר רב יהודה: להתיר, מדלא קתני רבי יוסי אוסר. אמר ליה רבה: הא מדקתני סיפא "ואלו הן מי מלח המותרין" – מכלל דרבי יוסי לאסור! אלא אמר רבה: לאסור. וכן אמר רבי יוחנן: לאסור.

תנאי נמי הכי, אין עושין מי מלח מרובין לתת לתוך הכבשין שביתך גיסטרא, אבל עושה הוא מי מלח מועטין, ואוכל בהן פתו ונותן לתוך התבשיל. אמר רבי יוסי: וכי מפני שהללו מרובין והללו מועטין, הללו אסורין והללו מותרין? ואמר: מלאכה מרובה – אסורה, מלאכה מועטת – מותרת! אלא: אלו ואלו אסורין הן, ואלו הן מי מלח המותרין – נותן שמן ומלח, או שמן ומים, ובלבד שלא יתן מים ומלח לבתחלה.

(עין צנון ואתרוג סימן).

תני רבי יהודה בר חביבא: אין עושין מי מלח עזין. מאי "מי מלח עזין"? רבה ורב יוסף בר אבא דאמרי תרווייהו: כל שהביצה צפה בהן, וכמה? אמר אביי: תרי תילתי מילחא ותילתא מיא.

למאי עבדי לה? אמר רבי אבהו: למוריֶסָא. תני רבי יהודה בר חביבא: אין מולחין צנון וביצה בשבת. רב חזקיה משמיה דאביי אמר: צנון – אסור, וביצה – מותרת. אמר רב נחמן: מריש הוה מלחנא פוגלא, אמינא: אפסודי קא מפסידנא ליה, דאמר שמואל: פוגלא חורפי מעלי. בין דשמענא להא, דכי אתא עולא ואמר: במערבא מלחי כישורי כישורי, ממלח – לא מלחנא, טבולי – ודאי מטבילנא.

תני רבי יהודה בר חביבא: אתרוג צנון וביצה, אילמלא קליפתן החיצונה – אינן יוצאין מבני מעיים לעולם.

We learned in the mishna that Rabbi Yosei said: But isn't it still brine whether it is a large quantity or a small quantity? A dilemma was raised before the Sages: When Rabbi Yosei said that there is no difference between a large and small quantity of salt water, was his intention to prohibit preparing any salt water on Shabbat or to permit doing so? Rav Yehuda said: His intention is to permit doing so, which is understood from the fact that the mishna is not teaching: Rabbi Yosei prohibits. Rabba said to him: From the fact that it is taught in the latter clause of the mishna: And this is the type of salt water that is permitted, by inference, Rabbi Yosei intended to prohibit preparing salt water. Rather, Rabba said: Rabbi Yosei intended to prohibit preparing any salt water on Shabbat. And similarly, Rabbi Yohanan said: Rabbi Yosei's intention was to prohibit.

That was also taught in a *baraita*: One may not prepare a large quantity of salt water to add to the pickled vegetables that are inside a flat earthenware shard used for pickling [*gistera*]. However, one may prepare a small quantity of salt water and eat his bread with it and add it to cooked food. Rabbi Yosei said: Is it because this is a large quantity and this is a small quantity that this is prohibited and this is permitted? People will learn from this and say: A large amount of labor is prohibited on Shabbat, but a small amount of labor is permitted. Rather, certainly they are both prohibited. And this is the type of salt water that is permitted: One may place oil and salt together or oil and water and then add salt to the mixture, and this *halakha* applies provided one does not place water and salt together *ab initio*.

Strong, radish, and citron are a mnemonic for the following *halakhot*.

Rabbi Yehuda bar Haviva taught: One may not prepare strong salt water^{NI} on Shabbat. The Gemara asks: What is strong salt water? Rabba and Rav Yosef bar Abba both said: Any water in which an egg can float. The Gemara asks: And how much salt is in this salt water? Abaye said: Two-thirds salt and one-third water.

The Gemara asks: For what purpose is this salt water prepared? Rabbi Abbahu said: It is prepared for fish brine [*muraisa*].^L And Rabbi Yehuda bar Haviva taught with regard to salting: One may not salt a radish or an egg^H on Shabbat because by salting them he performs a labor that improves them. Rav Hizkiya said in the name of Abaye: Preparing a radish is prohibited, and preparing an egg is permitted. Rav Nahman said: Initially, I would salt radishes on Shabbat, as I said: I am ruining it by doing so, as Shmuel said: Sharpness is good for radishes; since salt reduces their sharpness, one who adds salt ruins the radish. However, once I heard this, that when Ulla came from Eretz Yisrael to Babylonia he said that in the West, i.e., Eretz Yisrael, they salt many piles of radishes throughout the week, I do not salt them on Shabbat anymore, but I certainly dip them in salt because that is not considered to be an improvement.

The Gemara cites that which Rabbi Yehuda bar Haviva taught with regard to radishes and eggs: With regard to a citron, a radish, and an egg, if it were not for their outer peel, or egg white, they would never emerge from the intestines, because they are extremely hard to digest.

NOTES

Strong salt water – מי מלח עזין: Rabbi Yosei posited that although the primary category of tanning does not apply to food, the preparation of strong salt water is still prohibited by the Sages because it resembles tanning. While this opinion was ultimately rejected, it is nevertheless pro-

hibited to prepare a strong salt water solution because food is not dipped into strong salt water on Shabbat. Rather, it is utilized to salt food for later consumption, which constitutes a violation of the rabbinic prohibition against preparing on Shabbat for later use (*Me'ir*).

HALAKHA

Strong salt water – מי מלח עזין: On Shabbat, one may not prepare a strong salt water solution that consists of two-thirds salt or more (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:10; *Shulḥan Arukh*, *Orah Ḥayyim* 321:2).

Salting a radish or an egg – מליחת צנון וביצה: It is permitted to salt eggs on Shabbat. One may not salt several radishes together. However, it is permitted to dip individual radishes in salt before eating them (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:10; *Shulḥan Arukh*, *Orah Ḥayyim* 321:3).

רפואת העין – Healing the eye: In ancient times, a wide variety of medicines were utilized to treat eye ailments. The treatments mentioned by the Gemara are indeed beneficial, e.g., saliva, which contains enzymes and salts. Diluted wine has the same effect as alcohol, especially when applied with bandages. A saline solution, such as water from the Dead Sea, is also beneficial in certain cases.

יד לעין – Touching one's eye and nose: The warnings in the Talmud are sound advice. Touching body parts that contain fluid or are especially sensitive, e.g., a wound, can cause infection.

HALAKHA

Placing wine inside the eye...bland saliva, etc. – יין בתוך העין...רוק תפל – One may not apply wine directly in his eye on Shabbat. Similarly, one may not apply bland saliva even on his eye because it appears that it is being used for medicinal purposes (Rambam *Sefer Zemanim, Hilkhos Shabbat* 21:25; *Shulhan Arukh, Oraḥ Hayyim* 328:20).

Eye salves – קילורין: It is permitted to soak eye salves before Shabbat in order to place them on one's eye on Shabbat because it appears as if he were merely cleaning the eye. However, one must take care not to open and close the eye while doing this because then it is apparent that one is applying medicine (Rambam *Sefer Zemanim, Hilkhos Shabbat* 21:25; *Shulhan Arukh, Oraḥ Hayyim* 328:21).

A hand that touches the eye – יד לעין: One may not touch one's eyes, ears, or nose before washing his hands in the morning, in accordance with Rashi's explanation of the Gemara (*Shulhan Arukh, Oraḥ Hayyim* 4:3).

A hand that touches one's wound – יד לחסוד: One should not regularly touch his anus or a wound due to the possibility of infection (*Shulhan Arukh, Oraḥ Hayyim* 4:4).

כי אתא רב דימי אמר: מעולם לא טבע גברא בימא דסדום. אמר רב יוסף: הפוכה סדום, והפוכה מילה; גברא הוא דלא טבע, בשורא טבע? אמר ליה אביי: לא מיבעיא קאמר, לא מבעיא בשורא – דאפילו בכל מימות שבעולם לא טבע, אלא אפילו גברא דטבע בכל מימות שבעולם – בימא דסדום לא טבע. למאי נפקא מינה? בי הא, דרבין הוה שקיל ואזיל אחוריה דרבי ירמיה אגודא דימא דסדום. אמר ליה: מהו למימשי מהני מאי בשבת? אמר ליה: שפיר דימי.

מהו למימשי ולמיפתח? אמר ליה: זו לא שמעתי, כיצא בה שמעתי; דאמר רבי וירא, וימני אמר ליה משמיה דרב מתנה וימני אמר לה משמיה דמר עוקבא, ותרומיהו משמיה דאבוה דשמואל ולוי אמרין, חד אמר: יין בתוך העין – אסור, על גב העין – מותר, וחד אמר: רוק תפל, [אפילו] על גב העין – אסור.

תסתיים דאבוה דשמואל הוא דאמר: יין בתוך העין – אסור, על גב העין – מותר. מדאמר שמואל: שורה אדם פתו בין ונותנו על גב העין בשבת. דשמיא ליה ממאן? לאו דשמיא ליה מאבוה? וליתעמך, הא דאמר שמואל: רוק תפל אפילו על גבי העין אסור, דשמיא ליה ממאן? אילומא דשמיא ליה מאבוה – אלא לוי ולא חדא אמר? אלא: חדא שמיא ליה מאבוה, וחדא – שמיא ליה מלוי, ולא ידענן הי מאבוה הי מלוי.

אמר מר עוקבא אמר שמואל: שורה אדם קילורין מערב שבת ונותן על גב עינו בשבת ואינו חושש. בר לויא הוי קאי קמיה דמר עוקבא, חזיה דהוה מיץ ופתח, אמר ליה: כולי האי ודאי לא שרא מר שמואל. שלח ליה רבי ינאי למר עוקבא: לישדר לן מר מהנך קילורין דמר שמואל! שלח ליה: שדורי משרגא לך, דלא תימא צר עין אנא. אלא הכי אמר שמואל: טובה טיפת צונן שחרית, ורחיצת ידים ורגלים בחמין ערבית, מכל קילורין שבעולם. תנא נמי הכי, אמר רבי מונא משום רבי יהודה: טובה טיפת צונן שחרית, ורחיצת ידים ורגלים ערבית, מכל קילורין שבעולם.

הוא היה אומר: יד לעין – תיקצץ, יד לחוטם – תיקצץ, יד לפה – תיקצץ, יד לאוזן – תיקצץ, יד לחסוד – תיקצץ, יד לאמה – תיקצץ, יד לפי טבעת – תיקצץ, יד

When Rav Dimi came from Eretz Yisrael to Babylonia he said: No person has ever drowned in the Sea of Sodom, the Dead Sea. Since there is so much salt, people easily float in it. Rav Yosef said: Sodom is overturned and Rav Dimi's statement is backward. Is his statement saying that it is a man who does not drown in the Dead Sea, but a plank sinks? Abaye said to him: He is saying his statement utilizing the style of: It is not necessary: It is not necessary to mention a plank because it does not sink in any body of water in the world. But even a man, who drowns in other bodies of water in the world, does not drown in the Sea of Sodom. The Gemara asks: What are the practical consequences of this *halakha*? The Gemara explains: This *halakha* is relevant in a case of this kind: Ravin was walking after Rabbi Yirmeya on the shore of the Sea of Sodom. Ravin said to Rabbi Yirmeya: What is the ruling? Is it permitted to wash oneself with this water on Shabbat, or perhaps it is prohibited because it has healing properties? Rabbi Yirmeya said to him: One may well do so.

Ravin asked another question: When one washes himself on Shabbat in water from the Dead Sea, what is the *halakha*? Is it permitted for him to close and open his eyes in the water so that the water gets inside? Rabbi Yirmeya said to him: That case I did not hear; however, with regard to a similar case, placing wine in one's eye on Shabbat, I did hear. As Rabbi Zeira said, sometimes he said it in the name of Rav Mattana and sometimes he said it in the name of Mar Ukva, and they both said it in the name of Shmuel's father and in the name of Levi: One of them said: With regard to placing wine inside the eye on Shabbat, it is prohibited because it heals;⁸ on the eye, it is permitted. And one of them said: Bland saliva,⁹ saliva from one who has not eaten since waking, even placing it on the eye on Shabbat is prohibited because it is commonly used as medicine.

The Gemara comments: Conclude that Shmuel's father is the one who said that placing wine inside the eye is prohibited but on the eye is permitted, from the fact that Shmuel said: A person may soak his bread in wine and place it on his eye on Shabbat. He said this after he heard this *halakha* from whom? Is it not that he heard it from his father? The Gemara rejects this: And according to your reasoning, that *halakha* which Shmuel said: It is prohibited to place bland saliva even on the eye on Shabbat, he said this after he heard this *halakha* from whom? If we say that he heard it from his father, then Levi, who was cited together with Shmuel's father in the list of those who stated the *halakhot*, did he himself not say even one *halakha*? Rather, one *halakha* Shmuel heard from his father, and one *halakha* he heard one from Levi, and we do not know which he heard from his father and which he heard from Levi.

Mar Ukva said that Shmuel said: One may soak eye salves¹⁰ from Shabbat eve and place them on his eyes on Shabbat, and he need not be concerned that he is violating the prohibition against healing on Shabbat. The Gemara relates: Bar Liva'ei was standing before Mar Ukva on Shabbat. He saw Mar Ukva, who was opening and closing his eyes while applying a salve to them. Bar Liva'ei said to him: Master Shmuel certainly did not permit doing all of this. Rabbi Yannai sent a message to Mar Ukva: Can the master send us some of Master Shmuel's eye salves? Mar Ukva sent him in response: I will send it to you so that you do not say I am miserly, but be aware that this is what Shmuel said: For healing the eyes, better a drop of cold water in the morning and washing the hands and feet with hot water in the evening than all the eye salves in the world. Follow these instructions and you will need nor other cures. That was also taught in a *baraita*: Rabbi Mona said in the name of Rabbi Yehuda: Better a drop of cold water in the morning and washing the hands and feet in the evening than all the eye salves in the world.

Apropos Rabbi Mona's statement with regard to healing, the text cites what he would say about other matters that require special attention: A hand that touches the eye should be severed because it harms the eye.¹¹ A hand that touches the nose should be severed.¹² A hand that touches the mouth should be severed. A hand that touches the ear should be severed. A hand that touches one's wound¹³ should be severed. A hand that touches one's member should be severed, lest one arouse himself. A hand that touches one's anus should be severed, lest one make himself ill. A hand

LANGUAGE

Polyps [polypus] – פולִיפּוּס: From the Greek πολύπους, *polypous*, meaning a growth inside the mucous membrane of the nose.

BACKGROUND

Coriander – כוסברה השדה: Coriander, *Coriandrum sativum*, called *gad* in the Bible, is an annual plant that grows 30–50 cm in height. Its leaves separate into thin filaments. Its fruit is small and round, with a circumference of about 4 cm. The plant and its fruit are green and are used as spices. Today, coriander is not widely cultivated, but it grows wild in fields across northern Israel.



Wild coriander

Arugula – נָגִיר: Arugula, *Eruca sativa* L., is an annual plant that grows to 15–60 cm in height. Its leaves are eaten raw in salad. The flowers of the arugula plant are somewhat yellow with purple veins. During the Second Temple period, people used the fruit of the arugula plant as a substitute for pepper. The plant is cultivated and grows wild on roadsides throughout Israel, especially in the Negev.



Arugula

לַגִּית – תִּקְצֹץ יָד מִסָּמָא. יָד מְחַרֶּשֶׁת, יָד מַעֲלָה פּוֹלִיפּוּס. תִּנְיָא, רַבִּי נָתָן אָמַר: בֵּית חוּרִין הִיא זו, וּמִקְפָּדָת עַד שִׁירְחוּץ יָדָיו שְׁלֹשׁ פְּעָמִים. אָמַר רַבִּי יוֹחָנָן: פּוֹךְ מַעֲבִיר בֵּית מֶלֶךְ, וּפּוֹסֵק אֶת הַדְּמָעָה, וּמַרְבֵּה שִׁיעָר בְּעַפְעָפִים. תִּנְיָא נָמִי הָכִי, רַבִּי יוֹסִי אָמַר: פּוֹךְ מַעֲבִיר בֵּית מֶלֶךְ, וּפּוֹסֵק אֶת הַדְּמָעָה, וּמַרְבֵּה שִׁיעָר בְּעַפְעָפִים.

that is placed into a barrel of beer^H should be severed because the beer will not ferment. A hand that frequently touches the eye causes blindness. A hand that frequently touches the ear causes deafness. A hand that touches the nose or mouth causes polyps [polypus].^L It was taught in a *baraita* that Rabbi Natan says: She is a liberated entity,^N this evil spirit that rests on one's hands before they are washed in the morning, and she refuses to leave until one washes^H his hands three times. Rabbi Yohanan said: When eye shadow is placed on the eyes it causes the evil spirit called the Daughter of the King to pass, and it stops tears and causes eyelashes to grow. That was also taught in a *baraita*: Rabbi Yosei says: Eye shadow causes the Daughter of the King to pass, and stops tears and causes eyelashes to grow.

וְאָמַר מַר עֻקְבָּא אָמַר שְׁמוּאֵל: עָלִין אֵין בְּהֶם מְשׁוּם רְפוּאָה. אָמַר רַב יוֹסֵף: כּוֹסְבֵּרְתָּא אֵין בָּהּ מְשׁוּם רְפוּאָה. אָמַר רַב שִׁשְׁתִּי: כְּשׁוֹת אֵין בָּהֶן מְשׁוּם רְפוּאָה. אָמַר רַב יוֹסֵף: כּוֹסְבֵּרְתָּא, אֶפִּילוּ לְדִידֵי קֶשֶׁה לִּי. אָמַר רַב שִׁשְׁתִּי: גִּירָא – אֶפִּילוּ לְדִידֵי מַעֲלִי. וְאָמַר מַר עֻקְבָּא אָמַר שְׁמוּאֵל: כָּל מִינֵי כְּשׁוֹת שָׂרוּ, לְבַר מִטְרוּאָה.

And Mar Ukva said that Shmuel said: Leaves that are placed on the eye (Rabbeinu Hananel) contain no element of healing,^H and therefore one may place them on his eyes on Shabbat. Rav Yosef said: Coriander^B contains no element of healing. Rav Sheshet said: Hops contain no element of healing. Rav Yosef said: Even for me, who is blind, coriander is harmful. He overstated coriander's inefficacy, asserting that it is in fact harmful. Rav Sheshet said: Arugula^{NB} even for me, despite my blindness, is beneficial. And Mar Ukva also said that Shmuel said: All types of hops may be eaten on Shabbat except for *teruza*, which is used exclusively for medicinal purposes.

אָמַר רַב חֲסִדָּא: שְׂרִיקָא טוֹיָא – שְׂרִי, פִּיעֲפוּעֵי בִיעֵי – אָסוּר. דְּבִיתָהּ דְּזַעֲרִי עֲבָדָא לִיהּ לְחֵינָא בַּר אֲשִׁי וְלֹא אָכַל. אָמַרָה לִיהּ: לְרֹבֵךְ עֲבָדִי לִיהּ וְאָכַל, וְאַתָּה לֹא אָכַלְתָּ! זַעֲרִי לְטַעֲמִיהּ, דְּאָמַר זַעֲרִי: נִתָּן אָדָם יוֹן צְלוֹל וּמִים צְלוֹלִין לְתוֹךְ הַמְּשֻׁמֶּרֶת בְּשִׁבְתָּ וְאֵינוֹ חוֹשֵׁשׁ. אֲלָמָּא: כִּיּוֹן דְּמִשְׁתַּתִּי הָכִי – לֹא מִיּוֹד קַעֲבִיד, הָכִא נָמִי – כִּיּוֹן דְּמִיתְכִּיל הָכִי, לֹא מִיּוֹד קַעֲבִיד.

Rav Hisda said: Melon juice, which is beneficial for the intestines, may be strained and drunk on Shabbat (*ge'onim*). The juice of *pipuim*, which are a type of vegetable (Rashba), may not be drunk on Shabbat. The Gemara relates: Ze'iri's wife made melon juice for Hiyva bar Ashi and he did not consume it. She said to him: I made it for your Rabbi, Ze'iri, and he ate it, and you do not eat it? The Gemara explains: Ze'iri followed his own reasoning in permitting this drink, as Ze'iri said: One may place clear wine and clear water into a strainer used to strain dregs from wine on Shabbat without concern. Apparently, since the wine and water are drunk even with what little dregs may remain, one is doing nothing to improve them. Here, too, since melon juice is consumed this way, without being strained and for non-medical purposes, one is doing nothing and it is permitted.

HALAKHA

Barrel of beer – גִּית: One may not touch beer in a barrel, even after washing one's hands (*Biur Halakha*), as touching beer with one's hands will ruin it (*Shulhan Arukh, Orach Hayyim* 4:5).

She refuses to leave until one washes – מִקְפָּדָת עַד שִׁירְחוּץ: One must wash his hands three times in the morning after rising to be rid of the evil spirit that envelops them (*Shulhan Arukh, Orach Hayyim* 4:2).

Leaves contain no element of healing – בְּהֶם מְשׁוּם: One is permitted to place leaves on a wound on Shabbat because they have no medicinal effect. However, it is prohibited to place leaves that are known to heal, e.g., grape leaves, on one's eyes. This ruling is in accordance with the Jerusalem Talmud and contrary to Rashi and *Tosafot's* explanation of the Gemara (*Shulhan Arukh, Orach Hayyim* 328:24).

NOTES

She is a liberated entity – בֵּית חוּרִין הִיא זו: Some commentaries explain that one impurity can be removed from one's hands only by washing them. Therefore, one must wash his hands three times before touching his eyes (*Me'iri*).

Coriander...arugula – כּוֹסְבֵּרְתָּא...נָגִירָא: According to Rabbeinu Hananel and others, the Sages are not discussing eating coriander and arugula; rather, the discussion is about placing the leaves on one's eyes (see *Tosafot*; Rashba).

ואמר מר עוקבא: מי שנגפה ידו או רגלו צומתה בין ואינו חושש איבעיא להו: חלא מאי? אמר רב הלל לרב אשי: כי הוינא בי רב כהנא אמרי: חלא לא. אמר רבא: והני בני מחוזה, ופיון דמפנקי – אפילו חמרא נמי מסי להו.

רבינא איקלע לבי רב אשי, חזייה דדריבא ליה חמרא אגבא דכרעיה, ויחביב קא צמית ליה בחלא. אמר ליה: לא סבר לה מר להא דאמר רבא: דאמר רב הלל חלא לא? אמר ליה: גב היד וגב הרגל שאני.

איבא דאמרי: חזייה דקא צמית ליה בחמרא. אמר ליה: לא סבר לה מר להא דאמר רבא: הני בני מחוזה בין דמפנקי – אפילו חמרא נמי מסי להו. ומר נמי – הא מפנקי! אמר ליה: גב היד וגב הרגל שאני. דאמר רב אדא בר מתנה אמר רב: גב היד וגב הרגל הרי הן כמפכה של חלל, ומחללין עליהן את השבת.

תנו רבנן: רוחצים במי גר, במי חמתן, במי עסקא, ובמי טבריא. אבל לא בים הגדול, ולא במי משרה, ולא בימה של סדום.

ורמינהו: רוחצים במי טבריא ובים הגדול, אבל לא במי משרה ולא בימה של סדום. קשיא ים הגדול איס הגדול!

אמר רבי יוחנן: לא קשיא. הא – רבי מאיר, הא – רבי יהודה. דתנן: כל הימים כמקוה, שנאמר: "ולמקוה המים קרא ימים" דברי רבי מאיר, רבי יהודה אומר: ים הגדול כמקוה, ולא נאמר "ימים" אלא שיש בו מיני ימים הרבה.

רבי יוסי אומר: כל הימים מטהרין בוחלין. ופסולים לזבים ולמצורעים ולקדש בהן מי חטאת. מתקיף לה רב נחמן בר יצחק:

And Mar Ukva also said: One whose hand or foot was wounded may immerse it in wine on Shabbat to stop the flow of blood, and he need not be concerned that he is violating the prohibition against healing on Shabbat. A dilemma was raised before the Sages: With regard to vinegar, what is the ruling? May one immerse a wound in it? Rav Hillel said to Rav Ashi: When we were in Rav Kahana's house they said that vinegar is not permitted,^h as it is considered actual medicine. Rava said: And these people from Mehoza, since they are delicate, even wine heals them. Therefore, they may not immerse their wounds in wine.

The Gemara relates: Ravina happened to come to the house of Rav Ashi. He saw that a donkey stepped on the back of Rav Ashi's foot, and Rav Ashi sat and immersed his foot in vinegar on Shabbat. Ravina said to Rav Ashi: Does the Master not hold according to that which Rav Hillel stated, that vinegar is not permitted? He said to him: The back of the hand and the back of the foot^h are different because their wounds are dangerous.

Some say that Ravina saw that Rav Ashi immersed his foot in wine. Ravina said to him: Does the Master not hold according to that which Rava said: These people from Mehoza, since they are delicate, even wine heals them? And the Master is also delicate. Rav Ashi said to him: The back of the hand and the back of the foot are different, as Rav Adda bar Mattana said that Rav said: A wound on the back of the hand or the back of the foot^h is like a fatal wound, and one may desecrate Shabbat for it.

The Sages taught in a *baraita*: On Shabbat, one may bathe in the therapeutic hot springs of the waters of Gerar, in the waters of Hamatan,^h in the waters of Asya, and in the waters of Tiberias; however, one may not bathe in the Great Sea, namely, the Mediterranean sea, nor in water in which flax was soaked, nor in the Sea of Sodom, because people bathe in those bodies of water only for medicinal purposes.

And the Gemara raises a contradiction based on that which was taught in another *baraita*: One may bathe in the waters of Tiberias on Shabbat and in the Great Sea; but one may not bathe in water in which flax was soaked, nor in the Sea of Sodom. This is difficult because in the first *baraita* the Sages prohibit bathing in the Great Sea, and in this *baraita* they permit bathing in the Great Sea.

Rabbi Yohanan said: This is not difficult, because this *baraita*, which permits bathing in the Great Sea, is in accordance with the opinion of Rabbi Meir, who deems all seas equal. That *baraita*, which prohibits bathing there, is in accordance with the opinion of Rabbi Yehuda, who holds that the Great Sea is unlike other seas. As we learned in a mishna: All seas purify like a ritual bath [*mikve*], as it is stated: "And God called the dry land earth, and the gathering together of the waters [*mikve*] He called seas" (Genesis 1:10); this is the statement of Rabbi Meir. Rabbi Yehuda says: Only the Great Sea purifies like a ritual bath, and the verse states seas only because there are many seas in the Great Sea, not because all seas purify.

Rabbi Yosei says:ⁿ All seas purify like a ritual bath. They actually purify even more than a ritual bath, as they purify even when they are flowing.^h Immersion in a sea is purifying not only when its waters are still, but even when they are flowing. That is not the case with a ritual bath, whose waters only purify when still. And sea water is invalid for purifying *zavim* and lepers and for sanctifying purification water to mix the ashes of the red heifer with it. Those cases require spring water.ⁿ Rav Nahman bar Yitzhak strongly objects to this explanation:

Immerse it in wine...vinegar is not permitted – צומתה בין...חלא לא: One who has a wound that is not life-threatening (*Mishna Berura*) may immerse it in wine on Shabbat to stop its bleeding. However, one may not immerse the wound in vinegar because vinegar has medicinal properties. If the person is delicate, it is prohibited even to immerse the wound in wine (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:23; *Shulhan Arukh*, *Orah Hayyim* 328:29).

The back of the hand and the back of the foot – גב היד וגב הרגל: If the back of one's hand or foot is wounded on Shabbat, one may treat it medically because a wound on these parts of the body is considered dangerous (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 2:5; *Shulhan Arukh*, *Orah Hayyim* 328:6).

One may bathe in the waters of Gerar, in the waters of Hamatan – רוחצים במי גר במי חמתן: One is permitted to bathe in hot springs on Shabbat because people do so for reasons other than healing. Consequently, it is not obvious that one is immersing for medicinal purposes (*Shulhan Arukh*, *Orah Hayyim* 328:44).

All seas purify when they are flowing – כל הימים כמטהרין בוחלין: All seas purify both when their water is collected in one place and when their water is flowing. This ruling is in accordance with the opinion of Rabbi Yosei, whose reasoning is accepted by the halakhic authorities and whose opinion is followed in disputes with Rabbi Yehuda and Rabbi Meir (Rambam *Sefer Tahara*, *Hilkhot Mikva'ot* 9:12).

BACKGROUND

Gerar and Hamatan – גר וחמתן: The hot springs of Gerar are apparently the hot springs of Hamat Gader, a small town located east of the Jordan River and south-east of the Sea of Galilee. Hamatan may refer to Hamat, a bathing area adjacent to Tiberias.

NOTES

The back of the hand and the back of the foot – גב היד וגב הרגל: Some commentaries suggest that the distinction between wounds on the back of the hand and foot and other wounds is only relevant in cases where the wound was caused by disease or by an animal crushing them. However, if someone was injured by a sword or something sharp, all cases are considered dangerous and one may violate Shabbat law to heal those wounds (*Korban Netanel*).

Rabbi Yosei's opinion – שיטת רבי יוסי: In the Rambam's Commentary on the Mishna, he writes that, according to Rabbi Yosei, although other seas purify when their water is flowing, the Mediterranean Sea purifies only when its water is standing still, as in a ritual bath (*Kesef Mishna*).

Levels of purity in water – דרגות טהרה במים: There are a number of levels of purity that pertain to water. Natural water that has accumulated in a ritual bath, which contains forty *se'a*, the minimum volume for purification, can be used for immersion, provided it is still and not flowing. The waters of a river or a sea can purify even though their water is flowing. In addition, spring water also purifies even when it flows, and it can be utilized for the purification of *zavim* and lepers as well as the sanctification of the purification waters.

NOTES

The *halakhot* of impurity and purity and the *halakhot* of Shabbat – לַעֲנֵן טוֹמְאָה וְטָהָרָה לַעֲנֵן שַׁבָּת – Rav Nahman bar Yitzhak's question seems obvious: What is the connection between the dispute of Rabbi Meir and Rabbi Yehuda with regard to impurity and the *halakhot* of taking medicine on Shabbat? Some commentaries explain that just as people are aware that the status of the Mediterranean Sea is different from that of other seas and people immerse there for purification, they are also aware that it is distinct from other bodies of water with regard to Shabbat (*Adderet Eliyahu*).

אימור דפליגי לענין טומאה וטהרה, לענין שבת מי שמעת להו? אלא אמר רב נחמן בר יצחק: לא קשיא, הא – דאישתיה, הא – דלא אישתיה.

Say that they disagree over the status of the Mediterranean Sea with regard to impurity and purity, but with regard to Shabbat^N did you hear that they disagree? Rather, Rav Nahman bar Yitzhak said: The contradiction between the two *baraitot* is not difficult. This *baraita*, which prohibits bathing in the Mediterranean, is referring to a case where one remained in the water and thereby indicated that he bathed in the Mediterranean for its curative effects. That *baraita*, which permits bathing, is referring to a case where one did not remain in the water, and thereby indicated that he bathed in the Mediterranean for non-medical purposes.

במאי אוקימתא לבתריתא – דלא אישתיה, אי דלא אישתיה – אפילו במי משרה נמי; דהתנאי: ורחצין במי טבריא ובמי משרה ובימה של סדום, ואף על פי שיש לו חטטים בראשו. במה דברים אמורים – שלא נשתהא, אבל נשתהא – אסור!

The Gemara asks: And how did you establish this last *baraita*? Do you say that it is referring to a case where one did not remain in the water? If it is referring to a case where one did not remain in the water, it would be permitted to bathe even in water in which flax was soaked, as it was taught in a *baraita*: One may bathe on Shabbat in the waters of Tiberias, and in water in which flax was soaked, and in the Sodom Sea,^H and this is even though one has wounds on his head that are healed by bathing in these waters. In what case is this statement said? In a case where one did not remain in the water, since it appears that he entered the water to cool himself. However, if one remained in the water it is prohibited.

אלא, ים הגדול אים הגדול לא קשיא: הא – ביפין שבו, הא – ברעים שבו. מי משרה אמי משרה נמי לא קשיא: הא – דאישתיה, הא – דלא אישתיה.

Rather, the contradiction between the *baraita* that permits bathing in the Great Sea on Shabbat and the *baraita* that prohibits bathing in the Great Sea on Shabbat is not difficult. There is a distinction between the two. This *baraita*, which permits doing so, is referring to the pure water in it, i.e., the area in the Great Sea in which one bathes for pleasure during the week. That *baraita*, which prohibits bathing, is referring to the polluted water in it, which people enter only for medicinal purposes. And with regard to the contradiction between one statement with regard to the water in which flax was soaked and the other statement about water in which flax was soaked, it is also not difficult. There is a distinction between the two statements. This *baraita*, which prohibits bathing on Shabbat in water in which flax was soaked, is referring to a case where one remained in the water and thereby indicated that he was bathing for medicinal purposes. That *baraita*, which permits bathing on Shabbat in water in which flax was soaked, is referring to a case where one did not remain there. It is permitted to bathe in that water for non-medical purposes.

מתני' אין אוכלין איזובין בשבת, לפי שאינו מאכל בריאים. אבל אוכל הוא את יועזר, ושותה אבוברואה. כל האוכלין אוכל אדם לרפואה וכל המשקין שותה, חוץ ממי דקלים וכוס עיקרין, מפני שהן לירוקה. אבל שותה הוא מי דקלים לצמא, וסך שמן עיקרין שלא לרפואה.

MISHNA One may not eat *eizoveyon* on Shabbat because healthy people do not eat it, and therefore it is clear that anyone eating it is doing so for its medicinal value.^H However, one may eat a plant called *yo'ezzer* and may drink *abuvro'e*. Furthermore, all types of food that healthy people eat may be eaten by a person even for medicinal purposes. And one may drink all drinks except for water from palm trees and a *kos ikarin* because they are known as a remedy for jaundice. Therefore, it is prohibited to drink them on Shabbat for curative purposes. However, one may drink palm tree water on Shabbat in order to quench his thirst, and one may smear *ikarin* oil on himself for non-medical purposes.

HALAKHA

Bathing in the sea on Shabbat – יחיצה במי ים בשבת: One may bathe on Shabbat in seawater that is suitable for bathing, even if one's intention is medicinal. However, it is prohibited to bathe in water that is not fit for bathing or in water in which flax was soaked because it has a foul smell. However, it is permitted to enter these waters if one does

not remain in them because in this case it appears that he is entering the water merely to cool off (*Shulhan Arukh, Oraḥ Hayyim* 328:44).

Ingesting foods and drinks as medicine – מאכלים ומשקים – לרפואה: Any food or drink that is eaten by a healthy person

may be consumed by a sick person on Shabbat, even for its medicinal value. However, food and drink that are not generally consumed by healthy people may not be consumed by a sick person on Shabbat. Nevertheless, a healthy person may eat or drink these foods for his pleasure (*Rambam Sefer Zemanim, Hilkhos Shabbat* 21:22; *Shulhan Arukh, Oraḥ Hayyim* 328:37).

Hyssop – אֶזוֹב: The Sages were unsure of the identification of the ezov plant mentioned in the Torah. However, from the various descriptions it seems that it is the common hyssop plant, *Majorana syriaca*. The hyssop is a fragrant plant that grows to a height of 50–100 cm. The plant spreads out from its base into rigid wooden branches, which annually produce straight stems that dry out and die in winter. The white flowers of the hyssop plant are in crowded bunches on the ends of its branches. This plant grows in rocky terrain in Eretz Yisrael and in surrounding countries. Dried hyssop leaves are used in the spice *za'atar*.

LANGUAGE

אֶבְרָתָה בַּר – and abarta bar hing The word *abarta* is derived from the Persian *abār*, meaning thyme (see 128a, p. 255). *Bar hing* and *bar hamag* appear to be different types of this species, although their exact definitions are unclear. Some authorities think that *abarta* comes from the Greek word *ἀβρότονον*, *abrotonon*, which refers to the plant *Artemisia arborescens* or *Artemisia fragrans*.

NOTES

Three branches – שְׁלֹשָׁה קָלְחִין According to Rashi's commentary in tractate *Sukka* and the Rambam's Commentary on the Mishna, the word *kelahim*, translated here as branches, actually refers to roots. In other words, the mitzva of the *ezov* is fulfilled by uprooting three *ezov* plants with three small stems each, along with the roots.

GEMARA Rav Yosef said: Unspecified hyssop⁸ mentioned in the Torah is called *abarta bar hamag* in Babylonia, and *eizoveyon* is called *abarta bar hing*.¹ Ulla said: The hyssop mentioned in the Torah is white sage. The Gemara relates: Ulla happened to come to the house of Rav Shmuel bar Yehuda. They brought white sage before him. He said: This is the hyssop that is written in the Torah. Rav Pappi said: Hyssop is the root called *shumeshuk*. Rav Yirmeya of Difti said: In accordance with the opinion of Rav Pappi it is reasonable, as we learned in a mishna: The mitzva of hyssop is that one take three branchesⁿ each with three stems, and *shumeshuk* is the species that is found with that configuration of three stems on each of its branches. The Gemara says: For what purpose do people eat it? It is eaten for curing intestinal worms. And with what is it eaten? It is eaten with seven black dates. From what do worms come into being in the intestines? They come into being from eating barley flour from a vessel that held the flour for forty days since it was ground.

We learned in the mishna: However, one may eat the *yo'ezer* plant. The Gemara asks: What is *yo'ezer*? The Gemara answers: It is the vegetable known as *potnak*. For what is it eaten? It is eaten to cure liver worms. With what is it eaten? It is eaten with seven white dates. From what do worms come into being in the liver? From eating raw meat with water on an empty stomach, and from eating fatty meat on an empty stomach, and from eating ox meat on an empty stomach, and from eating nuts on an empty stomach, and from eating fenugreek shoots on an empty stomach and drinking water thereafter.

And if one has liver worms but does not have any *potnak* handy, or if one has taken *potnak* and it did not help, he should swallow white cress. And if he does not have that or if it did not help him, he should sit in fast, and take fatty meat and place it on coals and suck the bone and swallow vinegar. And some say: One should not drink vinegar because it is harmful to the liver. And if none of those options are available, let one take the sawdust that was scraped from the shell of a thorn bush from top to bottom, and not from bottom to top, as perhaps then the worms will come out through his mouth. And let one then boil the scrapings in beer at twilight and the next day close his nostrils and drink it. And when he defecates, he should defecate on the trunk of a palm tree.

We learned the mishna: And one may drink *abuvro'e* on Shabbat. The Gemara asks: What is *abuvro'e*? The Gemara answers: It is the plant known as *humtareya*. The Gemara asks: What is *humtareya*? It is that which is called the lonely staff. The Gemara asks: For what purpose is it used? It is used for one who drank exposed water from which we suspect a snake drank and left behind its venom. And if one does not have the lonely staff, or if it was ineffective, let him take five roses and five cups of beer and cook them together until there is a quarter of a log of liquid and then drink it.

The Gemara relates: Rav Aḥadvoi bar Ami's mother made this remedy for a certain man who had drunk exposed water suspected of having venom in it. She took one rose and one cup of beer and she boiled them. She gave it to him to drink, and lit the oven, and swept out the coals, and placed a brick inside it on which he could sit and not get burned. And something that appeared like a green leaf emerged, i.e., he vomited the venom.

גַּמְ' אָמַר רַב יוֹסֵף: אֶזוֹב – אֶבְרָתָה בַּר הַמָּג, אֵיזוֹבִיּוֹן – אֶבְרָתָה בַּר הַיֵּנָג. עוֹלָא אָמַר: מְרֹא חִיּוּרָא. עוֹלָא אֵיקָלַע לְבִי רַב שְׁמוּאֵל בַּר יְהוּדָה, אֵייתֵוּ לְקַמִּיָּה מְרֹא חִיּוּרָא, אָמַר: הֵינֵנוּ אֶזוֹב דְּכְתִיב בְּאֻרִּיָּתָא. רַב פְּפִי אָמַר: שׁוּמֶשׁוּק. אָמַר רַב יִרְמְיָה מְדִיפְתִּי: כְּוֹתִיָּה דְרַב פְּפִי מִסְתַּבְּרָא, דְתַנֵּן: מִצְוַת אֶזוֹב – שְׁלֹשָׁה קָלְחִין וּבִהֵן שְׁלֹשָׁה גְבֻעוּלִין. וְשׁוּמֶשׁוּק הוּא דְמִשְׁתַּכְחָא חֲכִי, לְמַאי אֲכָלִי לִיה – לְקוּקְאִינִי, בְּמַאי אֲכָלִי לִיה – בְּשֶׁבַע תַּמְרֵי אוֹבְמָתָא, מְמַאי הוּיָא – מְקִימָחָא דְשַׁעֲרֵי בְּבָנָא (דְחִלִּין עָלֶיהָ אֶבְרָתָהּ יוֹמִין).

“אֲבָל אוֹכֵל הוּא אֶת יוֹעֵזֶר.” מַאי יוֹעֵזֶר? פּוֹתֶנֶק. לְמַאי אֲכָלִי לָהּ – לְאַרְקָתָא. בְּמַאי אֲכָלִי לָהּ – בְּשֶׁבַע תַּמְרֵי חִיּוּרָתָא. מְמַאי הוּיָא – מְאוּמָצָא וּמַאי אֲלִיבָא רִיקְנָא, וּמִבִּישְׁרָא שְׁמָנָא אֲלִיבָא רִיקְנָא, וּמִבִּישְׁרָא דְתוֹרָא אֲלִיבָא רִיקְנָא, מְאֻמָּגוּזָא אֲלִיבָא רִיקְנָא, וּמִגִּידֵי דְרֹבֵבָא אֲלִיבָא רִיקְנָא, וּמִשְׁתֵּי מֵיָא אֶבְרָתָהּ.

וְאִי לֹא – לִיבְלַע תַּחֲלִי חִיּוּרָתָא, וְאִי לֹא – לִיבְלַע תַּבְּעִיָּתָא. וְלִיבְלַע בִּישְׁרָא שְׁמָנָא וְלִישְׁדֵי אֲגוּמֵרִי וְלִימִין גְּרָמָא וְלִינְמַע חָלָא וְאִיכָא דְאֲמִרִי, חָלָא לֹא, מִשּׁוּם דְקָשִׁי לְכַבְדָּא. וְאִי לֹא – לִיבְלַע גּוּרְדָּא דְאִסְיָנָא דְגִרְדָּא מְעִילָא לְתַתָּא וְלֹא מִתַּתָּא לְעִילָא דִלְמָא נִפְקָא אִינְדִּי פּוּמִיָּה, וְלִישְׁלָקָה בְּשִׁיכְרָא בִּי שִׁיבְבִי, וְלִמְחֹר נִסְפְּרִינוֹן לְנִקְבִין דִּידִיהָ, וְלִישְׁתֵּי. וְכִי מִפְּנֵי – מִפְּנֵי אֶפְשִׁיחָה דְדִקְלָא.

“וְשׁוֹתִין אֲבוּבְרוּאָה.” מַאי אֲבוּבְרוּאָה? חוּמְטָרִיא. מַאי חוּמְטָרִיא? חוּטְרָא וְחִידָאָה. לְמַאי עָבְדִי לָהּ – לְגִילּוּיָא. וְאִי לֹא – לִיבְלַע חֲמִשָּׁא כְּלִילִי, וְחֲמִשָּׁא כּוֹסְתָא דְשִׁיכְרָא, וְנִשְׁלֹקִינָהּ בְּהַדִּי הַדִּי עַד דְקִיָּמָא אֲנַפְקָא, וְנִשְׁתֵּי.

אִימָה דְרַב אַחַדְוֵי בַר אַמִּי עָבְדָה לִיה לְהַוּא גְּבֻרָא חַד כְּלִילָא וְחַד כּוֹסְתָא דְשִׁיכְרָא, שְׁלָקָה וְאִשְׁקִיחָהּ וְשִׁגְרָא תַנּוּרָא וּגְרַפְתִּיהָ, וְאוֹתְבִיתִיהָ לְבִינָתָא בְּגוּוִיָּה וְנִפֵּק כְּהוּצָא יִרְקָא.

Swallowing a snake – בליעת נחש – Even though it is uncommon, it is not impossible to swallow a small snake. However, the Gemara is most probably referring to swallowing a tapeworm, known as the *Taenia*, which resembles a snake. The remedies mentioned in the Gemara are effective in killing a tapeworm.

רב אביא אמר: רביעיתא דחלבא מעיזא חיותא. רב הונא בר יהודה אמר: ליתא אטרונא חליא, ולחייקה ולימליה דובשא, ולותבה בי מילי דנרא ולכליה. רבי חננא אמר: מי רגלים בני ארבעים יום. ברוינא – לוינא, רביעא – לעקבא, פלגא רביעא – לגילויא, רביעא – אפילו לכשפים מעל. אמר רבי יוחנן: אנגור, ואבנגר, ותיריקה – מעלו בין לגילויא בין לכשפים.

האי מאן דבלע חיויא לוליה בשותא במילחא ולוהטיה תלתא מילי. רב שימי בר אשי חיויה להווא גברא דבלע חיויא, אידמי ליה כפרשא, אוכליה בשותא במילחא, וארהטיה קמיה תלתא מילי ונפק מינה גובי גובי. איבא דאמר: רב שימי בר אשי בלע חיויא, אתא אליהו אידמי ליה כפרשא, אוכליה בשותא במילחא, וארהטיה קמיה תלתא מילי ונפק מינה גובי גובי. האי מאן דטרקיה חיויא, לית עוברא דחמרא חיותא ולוקרעיה ולותביה עלויה, והני מילי דלא אישתבח טרפה. ההוא

Rav Avya said: The remedy for one who has swallowed venom is to drink a quarter of a *log* of milk from a white goat. Rav Huna bar Yehuda said: Let one bring a sweet citron and make a hole in it, and fill it with honey, and place it among burning coals, and eat it. Rabbi Hanina said: Urine that is forty days old is an effective remedy for several maladies: A very small cupful is beneficial in treating a hornet sting. A quarter of a *log* is beneficial in treating a scorpion bite. Half a *log* is effective in treating one who drank exposed water. A *log* is even effective in counteracting witchcraft. Rabbi Yohanan said: Water in which spinach was boiled [*anigron*], and water in which *banagri* grass was boiled [*avangar*], and balsam are effective for both one who drank exposed water and as an antidote for witchcraft.

One who swallowed a snake⁸ should be fed hops in salt, and then he should be made to run a distance of three *mil*. The Gemara relates: Rav Shimi bar Ashi saw a person who swallowed a snake, and Rav Ashi appeared to that person as a horseman. Rav Shimi fed him hops with salt and made him run in front of him for three *mil*, and the snake came out of him in pieces. Some say that Rav Shimi bar Ashi was the one who swallowed a snake, and Elijah came and appeared to Rav Ashi as a horseman. He fed him hops with salt and made him run in front of him for three *mil*, and the snake came out of him in pieces. One who was bitten by a snake should have the fetus of a white donkey brought to him, and it should be torn open and placed on the snakebite. The Gemara says: And this applies only when the mother does not have a condition that will cause it to die within twelve months [*terefa*]. The Gemara relates: There was a certain

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NOTES

Thirteen white donkeys – תלסר חמרי חיותא: Rashi quotes his teachers and explains that the number thirteen used here is not meant literally. It is an exaggeration indicating that there were a limited number of donkeys.

A snake of the Rabbis – חיויא דרבנן: Rashi states that one who was bitten by a snake as punishment for ignoring the decrees of the Sages has no cure and will die. If one recovers from that snakebite, he will eventually die from another snake attack because one who violates the decrees of the Sages is punished by death.

בר קשא דפומבדיתא דטרקיה חיויא. הוה תלסר חמרי חיותא בפומבדיתא, קרענהו לכולהו ואישתבחו טריפה. הווי חדא בההוא גיסא דפומבדיתא, עד דאולי מיתתי לה – אכלה אריה. אמר להו אבוי: דילמא חיויא דרבנן טרקיה, דלית ליה אסותא, דכתיב: "ופרץ גדר ישכנו נחש". אמרו ליה: אין רבי. דכי נח נפשיה דרב, גור רב יצחק בר בוסנא דלפא דלמטייה אסא וגידמי לבי היולא [בטבלא], ואזל איהו אמטי אסא וגידמי לבי היולא בטבלא, טרקיה חיויא ומית.

Jewish official in Pumbedita that was bitten by a snake. There were thirteen white donkeysⁿ in Pumbedita and they tore them all open and they were found to be *tereifot*. There was one donkey on the other side of Pumbedita, and until they went to bring it, a lion ate it. Abaye said to them: Since all of these things have happened, perhaps a snake of the Rabbisⁿ bit him, for which there is no cure, as it is written: "One that digs a pit will fall into it, and one who breaches a fence will be bitten by a snake" (Ecclesiastes 10:8). Perhaps this person violated a rabbinic decree, also known as a fence, and was bitten by a snake as punishment. That bite has no cure. They said to him: Yes, my teacher, it is so, as when Rav died Rav Yitzhak bar Bisna ruled that one may not bring myrtle and palm branches to a wedding hall to accompany bells, and he went and brought myrtle and palm branches to the wedding hall with bells. Therefore, a snake bit him. And it is reported that ultimately the official died.

האי מאן דכרכיה חיויא – לינחות למיא, ולסחוף דיקולא ארישא ולהדקיה מיניה, וכי סליק עלויה – לישדיה למיא ולסחוף ולית. האי מאן דמיקני ביה חיויא, אי איבא חבריה בהדיה – לירכביה ארבע גרמידי, ואי לא – לישואר נגרא, ואי לא – ליעבר נהרא. ובלילא – לותביה לפורא אארבעה חביתא, ונגני בי כוכבי, וליתא ארבעה שוורי ולסרינהו בארבעה כרעי דפורייה, ולית שחפי ולישדי התם, דכי שמע קלי אכלי ליה. האי מאן דרהיט אבתייה – ליריהט בי חלתא.

The Gemara cites additional information about the dangers posed by snakes and how to deal with them. One whom a snake encircled should descend into water and place a basket on his head and remove the snake slowly from him into the basket. And once the snake goes into the basket, let him throw it into the water and climb and emerge. One at whom a snake is angry and is being pursued by a snake, if he has another with him, let him ride him four cubits. And if not, let him jump over a ditch. And if not, let him cross a river. And at night let him place his bed on four barrels and sleep outside beneath the stars. And let one bring four cats and let one tie them to the four legs of the bed. And let one bring twigs and branches and throw them there so that when the cats hear the sound of the snake crawling they will eat it. One who is being pursued by a snake, let him run in sand because a snake cannot move as quickly in sand as a person can.

A menstruating woman [*dishtana*] – דִּישְׁתָּנָא: From the Persian dashtān, meaning menstruation or menstruating woman.

Zitom – זִיתוֹם: From the Greek ζῦθος or ζῦτος, *zutos*, referring to a specific kind of beer made in Egypt from barley.

HALAKHA

Spleen for healing teeth – טָחוּל לְשִׁינִים: On Shabbat, a sick person may be treated medically with food even if the food might have harmful effects and is not commonly consumed, provided that the food is not generally ingested for medicinal purposes (*Shulḥan Arukh, Oraḥ Hayyim* 328:37).

NOTES

Ulla and Babylonian beer – עוּלָא וְשִׁכְרֵי בָבְלִי: Ulla was of the *nehotei*, the Sages from Eretz Yisrael who would descend to Babylonia to teach the Torah of Eretz Yisrael. On occasion, he shared his opinions about Babylonian foods and drinks. Here, he affirms that Babylonian beer effectively caused diarrhea. Indeed, this type of beer, made from fermented dates, was a potent cure, and was especially effective for people who did not drink it regularly.

הָאִי אֵיתָתָא דְחוּזָא חַיּוּזָא, וְלֹא יָדְעָה אִי יְהִיב דְּעֵתִיהָ עֵילוּהָ אִי לֹא יְהִיב דְּעֵתִיהָ עֵילוּהָ, תְּשַׁלַּח מֵאֵנָה וְנִשְׁדִּייהָ קַמִּיהָ, אִי מְבָרַךְ בְּהוּ – דְּעֵתִיהָ עֵילוּהָ, וְאִי לֹא – לֹא יְהִיב דְּעֵתִיהָ עֵילוּהָ.

מֵאִי תִקְנָתָהּ – תִּשְׁמַשׁ קַמִּיהָ. אִיכָּא דְאָמְרִי: כָּל שָׁבֵן דְּתִקְוִי לִיהָ יִצְרִיהָ. אֲלֵא, תִּשְׁקוּל מִמּוּנָה וּמִטּוּפָּרָה וְתִשְׁדִּי בִּיהָ, וְתִימָא: דִּישְׁתָּנָא אָנָּא. הָאִי אֵיתָתָא דְעֵייל בְּהָ חַיּוּזָא, לִיפְסָעָה וְלִתְבוּהָ אֶתְרֵתִי חֲבִיתָא, וְלִיתִי בִישָׁרָא שְׂמִנָּה וְלִישְׁדִּי אֲגוּמִי, וְלִיתִי אֲגָנָא דְתַחֲלִי וְחִמְרָא רִיחְתָּנָא, וְלִתְבוּ הֵתָם וְלִיטְרוּקִינְהוּ בְּהָדִי הֲדִי, וְלִינְקוּט צִבְתָּא בִידָהּ, דְּכִי מִירַח רִיחָא – נִפִּיק וְאֵתִי. וְלִישְׁקֻלִיהָ וְלִיקְלִייהָ בְּנוּרָא, דָּאִי לֹא – הֲדַר עֵילוּהָ.

"כָּל הָאוֹכְלִין כּו'". "כָּל הָאוֹכְלִין" לֹאִיתוּי מֵאִי? לֹאִיתוּי טָחוּל לְשִׁינִים, וְכִרְשִׁינִין לְבָנִי מַעֲיִים. כָּל הַמְּשַׁקֵּין לֹאִיתוּי מֵאִי? לֹאִיתוּי מִי צִלְפִּין בַּחוּמָץ. אָמַר לִיהָ רַבִּינָא לְרַבָּא: מַהוּ לְשִׁתּוֹת מִי רְגִלִים בְּשִׁבְתָּ? אָמַר לִיהָ: תִּנְיָנָא "כָּל הַמְּשַׁקֵּין שׁוֹתֶה" וְיָמִי רְגִלִים לֹא שָׁתוּ אֵינְשִׁי.

"חוץ ממי דקלים". תנא: חוץ ממי דקרים. מאן דתנא "מי דקרים" שהם דוקרים את המרה, ומאן דאמר "מי דקלים" – שיוצאין מן שני דקלי. מאי "מי דקלים"? אמר רבה בר ברונא: תרתין תלמי איכא במערבא, ונפקא עינא דמיא מביניהו, כסא קמא – מרפי, איךך – משלשל, ואיךך – כי היכי דעילי הכי נפקי. אמר עולא: לדידי שתי שיכרא דבבלאי ומעלי מיניהו. והוא דלא רגיל ביה ארבעין יומין.

רב יוסף אומר: זיתום המצרי – תילתא שְׁעִרִי, וְתִילתָא קוּרְטָמִי, וְתִילתָא מִלְּחָא. רב פפא אומר: תילתא חיטין, וְתִילתָא קוּרְטָמִי, וְתִילתָא מִלְּחָא (וְכַמוּנָא). וְסִימְנִי: סִיסָאנִי. וְשִׁתִּי לָהּ בֵּין דְּבָחָא לְצִצְרָתָא. דְּקָמִיט – מְרַפִּי לִיהָ, וְדָרְפִי – קָמִיט לִיהָ.

A woman who is seen by a snake and does not know whether it has directed his attention toward her or whether it has not directed his attention toward her, she should remove her garment and throw it before the snake. If the snake wraps itself in the garments, it is an indication that it has directed his attention toward her; and if not, it is an indication that it has not directed his attention toward her.

What is her remedy so the snake will leave her alone? She should have relations with her husband before the snake. Some say: If she has relations in front of the snake, all the more so that its desire will become stronger. Rather, she should take from her hair and her nails and throw them at the snake, and say the following to it as an incantation: I am a menstruating woman [*dishtana*].¹ A woman whom a snake has entered, let them spread her legs and place her on two barrels, and let them bring fatty meat and throw it onto coals. And let them bring her a bowl of cress and fragrant wine and place them there and mix them together. And she should take tongs in her hand, as when the snake smells the fragrance it emerges. And then one should take the snake and burn it in the fire, as if it is not burned, it will come back onto her.

We learned in the mishna: All types of food that healthy people eat may be eaten by one eating them for medicinal purposes on Shabbat. The Gemara asks: The phrase: All foods, what does it come to include? The Gemara answers: It comes to include spleen for healing teeth² and vetch for healing intestines, although they are not common foods. We also learned in the mishna: And one may drink all drinks on Shabbat. The Gemara asks: The phrase: All drinks, what does it come to include? The Gemara answers: It comes to include mixing water in which capers have soaked, with vinegar. Ravina said to Rava: What is the ruling with regard to drinking urine on Shabbat? Rava said to him: We already learned in the mishna: One may drink all drinks, and people do not drink urine and is not considered a drink. It is only consumed for medical purposes and is therefore prohibited.

We learned in the mishna: One may drink anything on Shabbat except for palm tree water [*mei dekalim*]. It was taught slightly differently in the *Tosefta*: Water that stabs [*mei dekarim*]. The Gemara explains: The one who taught water that stabs means that the waters pierce the gall bladder; and the one who said palm tree water means that they come from two palm trees. In order to explain what palm tree water is, Rabba bar Beruna said: There are two palm trees in Eretz Yisrael, and a spring of water emerges from between them. The first cup one drinks of this water loosens the intestines, another cup causes diarrhea, and another, a third cup, just as it entered as water, so too it emerges. Ulla said: For me, I drink Babylonian beer,³ and it is more effective than palm tree water in causing diarrhea. The Gemara comments: And this is true. It is effective for the stomach when the person who drinks it has not become accustomed to beer for forty days.

Rav Yosef said: Water that stabs is Egyptian *zitom*,⁴ which is made from one-third barley, and one-third saffron, and one-third salt. Rav Pappa said: It is one-third wheat, and one-third saffron, and one-third salt and cumin. And this is your mnemonic to remember which said *zitom* is made from barley: A basket which is called *sisanei*, a word with two *samekhs*. This word alludes to the fact that Rav Yosef, who has a *samekh* in his name, is the one who says that Egyptian *zitom* is made from barley [*se'orim*], which has the letter *sin*. *Sin* is interchangeable with *samekh*. And one should drink it between Passover and *Shavuot*. For one whose intestines are blocked, it will loosen his intestines and cure him; and for one whose bowels are loose, it will block him and cure him as well.

BACKGROUND

Jaundice – יִרְקוּנָא: Apparently, the apprehension about infertility as a side effect of the treatment stems from the fact that jaundice is a long-term degenerative disease that significantly weakens the body, and these cures weaken the body even further and may cause infertility.

”וְכֹס עֲקָרִין.” מַאי בֹּס עֲקָרִין? אָמַר רַבִּי יוֹחָנָן: לֵיִיתִי מִתְקָל וְזֹא קוּמָא אֶלְפִסְנִידְרָא, וּמִתְקָל וְזֹא גְבִינָא גִילָא, וּמִתְקָל וְזֹא בֹרְכָמָא רִישָׁקָא, וְלִישָׁקִינְהוּ בְּהַדִּי הַדִּי. לְבָה – תִּלְתָּא בַּחֲמָרָא וְלֹא מִיעָקָרָא, לִירְקוּנָא – תְּרִין בְּשִׂיכְרָא וּמִיעָקָר. לְבָה תִּלְתָּא בַּחֲמָרָא וְלֹא מִיעָקָרָא; וְאִי לֹא – לֵיִיתִי תִּלְתָּא

And we also learned about a *kos ikarin* in the mishna. The Gemara asks: What is a *kos ikarin*? Rabbi Yohanan said: Let one bring the weight of a *zuz* of Alexandrian gum, and a weight of a *zuz* of alum, and a weight of a *zuz* of garden saffron, and let one grind them together. The procedure for treating a *zava* is that she should drink these three ingredients with wine, and she will be cured of her emission and will not become barren. For treating jaundice⁸ one should drink two of these ingredients with beer; however, one will become sterile from it. It was said that for treating a *zava*, she should drink these three ingredients with wine and she will be healed from her emission and will not become barren. And if it is not effective, let one bring three

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NOTES

Fistful [*buna*] – בּוּנָא: The *Arukh* interprets the word *buna* not as a fistful but as a vessel with a specific capacity.

Pashtina – פִּשְׁטִינָא: The *ge'onim* and the *Arukh* explain that this term refers to various types of vegetables that grow close to the ground.

קִפְיוֹ שְׂמִי פֶרְסָאִי, וְנִשְׁלֹק בַּחֲמָרָא, וְנִשְׁקִינָהּ, וְנִמָּא לָהּ: קוּם מְזוּבִיד. וְאִי לֹא – לְתִבְהָ אֶפְרִשֵׁת דְּרָכִים, וְלִינְקָטָה כְּסָא דַּחֲמָרָא בִידָהּ, וְלִיתִי אִינִישׁ מֵאַחֲרֶיהָ וְלִיבְעָתָהּ, וְלִימָא לָהּ: קוּם מְזוּבִיד. וְאִי לֹא – לִיתִי בּוּנָא דְכַמוּנָא, וּבּוּנָא דְמוּרִיקָא, וּבּוּנָא דְשִׁבְלִילָתָא, וְנִשְׁלֹק בַּחֲמָרָא וְנִשְׁקִינָהּ, וְנִמָּא לָהּ: קוּם מְזוּבִיד. וְאִי לֹא – לִיתִי שִׁיתִין שִׁיעִי דְדָנָא, וְלִשְׁפִינָהּ, וְלִימָא לָהּ: קוּם מְזוּבִיד. וְאִי לֹא – לִיתִי פִשְׁטִינָא, וְלִישְׁלֹק בַּחֲמָרָא, וְלִשְׁפִינָהּ, וְנִמָּא לָהּ: קוּם מְזוּבִיד. וְאִי לֹא – לִיתִי חֲרוּגָא דְהִיגְתָּא רומיתא, וְלִיקְלִי וְלִיסְבָה בְּשַׁחְקִי דְכִיתָנָא בְּקִיטָא, וּבְשַׁחְקִי דְעֵמֶר גּוּפְנָא בְּסִיתָא.

vessels full of Persian onions, and boil them in wine, and give it to her to drink. And we say to her: Stop emitting your discharge. And if that is not effective, seat her at a crossroads, and she should take a cup of wine in her hand, and let a person come from behind her and frighten her and say to her: Stop emitting your discharge. And if this is also not effective, bring her a fistful [*buna*]^N of cumin, and a fistful of saffron,⁸ and a fistful of fenugreek, and cook them in wine, and give it to her to drink, and say to her: Stop emitting your discharge. And if this is not effective, let one bring sixty barrel seals, soak them, and then spread it on her and say to her: Stop emitting your discharge. And if this is also does not effective, let one bring *pashtina*,^N a type of grass, boil it in wine, and then spread it on her and say to her: Stop emitting your discharge. And if this is not effective, let one bring a thistle that grows on Roman thorns and burn it, and place its ashes in rags from linen clothing in the summer and in rags from cotton clothing in the winter.

וְאִי לֹא – לִיכְרִי שֶׁבַע בֵּירִי, וְלִיקְלִי בְּהוּ שְׁבִישְׁתָּא יִלְדָה דְּעָרְלָה, וְלִינְקָטָה כְּסָא דַּחֲמָרָא בִידָהּ, וְלִקְמָה מֵהָא וְלִתְבָּה אֶהָא, וְלִקְמָה מֵהָא וְלִתְבָּה אֶהָא, וְאֶפְלַח חֲדָא וְחֲדָא לִימָא לָהּ: קוּם מְזוּבִיד. וְאִי לֹא – לֵיִיתִי סְמִידָא, וְלִיסְבָה מִפְּלָגָא לְתַתָּא, וְלִימָא לָהּ: קוּם מְזוּבִיד. וְאִי לֹא – לִיתִי בִיעָתָא דְנַעֲמִיתָא, וְלִיקְלִי וְלִיסְבָה בְּשַׁחְקִי דְכִיתָנָא בְּקִיטָא, וּבְשַׁחְקִי דְעֵמֶר גּוּפְנָא בְּסִיתָא. וְאִי לֹא – לִיפְתַּח לָהּ חֲבִיתָא דַּחֲמָרָא לְשִׁמָּה. וְאִי לֹא – לִנְקִיט שְׁעִרְתָּא דְמִשְׁתַּבַּחַת בְּכַפּוּתָא דְכוּדָנָא חֲיוּרָא, אִי נִקְטָה חֵד יוֹמָא – פִּסְקָה תְּרִי יוֹמִי, וְאִי נִקְטָה תְּרִי יוֹמִי – פִּסְקָה תִּלְתָּא יוֹמִי, וְאִי נִקְטָה תִּלְתָּא יוֹמִי – פִּסְקָה לְעוֹלָם.

And if this is not effective, let one dig seven pits and burn young grape shoots in them from vines that are *orla*, and place a cup of wine in her hand and raise her up from that pit and sit her in another pit, and raise her from that pit and sit her in this pit, and raise her from that pit and sit her in this other pit. And each and every time say to her: Stop emitting your discharge. And if this is not effective, let one bring fine flour and place it on the bottom half of her body and say to her: Stop emitting your discharge. And if this is not effective, let one bring an ostrich egg and burn it, and place its ashes in linen rags during the summer, and in cotton rags during the winter. And if this is also not effective, let one open a barrel of wine for her, and let her drink it. And if this is not effective, let one hold a barley grain that is found in the dung of a white donkey. If she holds it for one day her discharge will cease for two days; and if she holds it for two days it will cease for three days, and if she holds it for three days it will cease forever.

לִירְקוּנָא תְּרִין בְּשִׂיכְרָא וּמִיעָקָר וְאִי לֹא – לֵיִיתִי רִישָׁא דְשִׁבּוּטָא דְמִילָחָא, וְלִישְׁלֹק בְּשִׂיכְרָא וְלִישְׁתִּי. וְאִי לֹא – לֵיִיתִי מוּנִי דְקִמְצִי, וְאִי לִיכָא מוּנִי דְקִמְצִי – לֵיִיתִי מוּנִי דְנִקְרִי, וְלִיעִיִּילָהּ לְבִי בְּנִי וְלִישְׁפִינָהּ. וְאִי לִיכָא בִּי בְּנִי – לִקְמָה בֵּין תַּנּוּרָא לְגוּדָא. אָמַר רַבִּי יוֹחָנָן: הַרּוּצָה שְׁחִימָמְנוּ – יִקְנְחוּנוּ בְּסַדִּינוּ. רַב אֲחָא בְּרִי יוֹסֵף חָשׁ בֵּיהּ, עֲבַד לֵיהּ רַב כְּהָנָא וְאִיתְסִי.

The Gemara states: For jaundice, one should drink two of the three ingredients mentioned together with beer, and one becomes sterile from it. The Gemara continues to discuss this remedy: And if one does not have these ingredients, i.e., Alexandrian gum, saffron, and alum, or if the remedy did not work, let one bring the head of a salted *shibuta* fish and boil it in beer and drink it. And if this is not effective, let one bring grasshopper brine and drink it. And if one does not have grasshopper brine, let one bring brine of small birds, and enter the bathhouse, and smear himself with it. And if there is no bathhouse, have him stand between the oven and the wall and sweat out his disease. Rabbi Yohanan said: One who seeks to warm this patient up should wrap him tightly in his sheet. Rav Aḥa bar Yosef was sick with this disease, and Rav Kahana performed this remedy for him and he was healed.



Saffron plant

Wax [kira] – קִירָא: From the Greek κῆρος, kēros, meaning wax.

HALAKHA

And is it permitted – וְיָמִי שְׂרִי: It is prohibited to give a man a *kos ikarin* to drink because it causes infertility (Rambam *Sefer Kedusha, Hilkhhot Issurei Bia* 16:12; *Shulhan Arukh, Even HaEzer* 5:12).

Castration of a man – כִּירּוּם בָּאָדָם: It is prohibited to cause infertility in males either by damaging their reproductive organs or by administering drugs. The Torah mandates lashes for violating this prohibition (Rambam *Sefer Kedusha, Hilkhhot Issurei Bia* 16:10; *Shulhan Arukh, Even HaEzer* 5:11).

Causing castration – גִּרָם כִּירּוּם: According to the Torah, one who indirectly causes the castration of an animal is not punished with lashes. Nevertheless, the Sages prohibit doing so. However, causing an animal to lose its reproductive ability without damaging its reproductive organs is permitted. Therefore, one is allowed to remove a rooster's comb, even though the bird ceases to reproduce as a result, because doing so does not directly harm its reproductive organs (*Shulhan Arukh, Even HaEzer* 5:13 and in the comment of the Rema).

NOTES

The prohibition against castration – אִיסוּר: The verse quoted in the Gemara with regard to an animal with torn or cut testicles is referring to offering blemished animals as sacrifices. In that context, the Torah is referring only to the suitability of damaged animals for the altar. The end of the verse: "And you shall not do this in your land," teaches that castration in any form is considered a blemish for an animal, and that it is prohibited to castrate an animal. This prohibition applies to all male animals, including those which cannot be offered as sacrifices. However, the Sages infer from the verse that any damage caused to the normal functioning of an animal's reproductive system, even if caused indirectly, undermines God's purpose in Creation, as the verse states, "He did not create it for naught; He formed it to be settled" (Isaiah 45:18). According to the Rambam, causing infertility in female animals violates a rabbinic prohibition.

HALAKHA

One who leavens after one who already leavened – מְחַמֵּץ אַחֲרֵי מְחַמֵּץ: It is prohibited to leaven meal-offerings, and one who leavens them is liable to be flogged with lashes. The same applies to one who leavens an item that has already been leavened (Rambam *Sefer Avoda, Hilkhhot Ma'aseh HaKorbanot* 12:14).

One who castrates after one who castrates – מְכַרֵּם אַחֲרֵי מְכַרֵּם: It is prohibited to remove or destroy the male reproductive organs of a human being, an animal, or a bird. This applies whether the animals or birds are kosher or non-kosher, in Eretz Yisrael or outside of it. By Torah law, one who performs castration is punished with lashes. The prohibition applies and is a punishable offense even if one only adds to the castration of a male that had already been castrated (Rambam *Sefer Kedusha, Hilkhhot Issurei Bia* 16:10; *Shulhan Arukh, Even HaEzer* 5:11).

ואי לא – לית תלתא קפיו תמרי פרסייתא, ותלתא קפיו דקירא דנישתרופי, ותלתא קפיו אהל תולענא ולישלוקינהו בשיכרא ולישתמי. ואי לא – לית עילא בר חמרא, וליגלח מציעתא דרישא, ולישביק ליה דמא מאפותיה, ולותביה ארישיה ולוזהר מעיניה דלא ליסמי להו. ואי לא – לית רישא דברחא דמנח בכיבשא, ולישלוק בשיכרא, ולישתמי. ואי לא – לית דבר אחר חוטרגא, וליקרעיה, ולותביה אליביה, ואי לא – לית כרתי מכבתותא דמישרי.

ההוא טייעא דחש ביה, אמר ליה לגינאי: שקול גלמאי והב לי מישרא דברתי, יהיב ליה ואכלה. אמר ליה: אושלן גלמיך ואיגני ביה קלי. איכרך, גנא ביה. כד איחמם וקם – נפל פורתא פורתא מיניה.

לירקונא תרין בשיכרא ומיעקר. ומי שרי? והתנא: מניין לסירוס באדם שהוא אסור – תלמוד לומר: "ובארככם לא תעשו" – בכם לא תעשו, דברי רבי חננא! הני מילי – היכא דקא מיפיו, הכא – מעצמו הוא. דאמר רבי יוחנן: הרוצה שישרס תרגול, יטול פרבלו, ומסתרס מאליו. והאמר רב אשי: רמות ורחא הוא דנקיטא ליה! אלא בסרים.

והאמר רבי חיאי בר אבא אמר רבי יוחנן:

The Gemara continues: And if this remedy is not effective, let one bring three vessels of Persian dates, and three vessels of dripping wax [kira],¹ and three vessels of red aloe, and boil them in beer and drink it. And if this remedy is not effective, let one bring a donkey foal, and shave the middle of its head, and let blood from the donkey's forehead, and place it on his own head. And he should take care not to let the blood enter his eyes lest it blind him. And if this is not effective, let one bring a pickled ram's head and boil it in beer and drink it. And if this is not effective, let him bring a striped something else, i.e., a pig, and tear it open and place it on his heart. And if this is not effective, let him bring leeks from the middle of the row, which are very sharp.

It is reported that a certain Arab was sick with jaundice. He said to the gardener: Take my cloak and give me a row of leeks in exchange. The gardener gave him the row and he ate it. The Arab said to the gardener: Lend me your cloak and I will sleep in it for a short while. The gardener gave it to him and he wrapped himself in it and slept. When he got hot and stood up pieces fell from the cloak bit by bit because the cloak had become very hot from the Arab's sweat. The Arab tricked the gardener, who ultimately received nothing.

The Gemara discussed the remedy for jaundice, saying that one should drink two of the ingredients mentioned together with beer, and one becomes sterile from it. The Gemara asks: And is it permitted² to cause sterility? Wasn't it taught in a *baraita*: From where is it derived that castration of a man³ is prohibited?⁴ The verse states: "Those whose testicles are bruised, or crushed, or torn, or cut, shall not be offered to the Lord, and you shall not do this in your land" (Leviticus 22:24), meaning that you shall not do it to yourselves; this is the statement of Rabbi Hanina. Apparently, it is prohibited to castrate a man. The Gemara answers: This prohibition applies only in a case where one intends to castrate. Here, in the cure for jaundice, the sterility happens on its own, incidental to the treatment.⁵ Proof is cited from that which Rabbi Yohanan said: One who seeks to castrate a rooster should remove its comb and it will become castrated on its own. Incidental castration is permitted. The Gemara rejects the proof. Didn't Rav Ashi say: It is arrogance that it assumes when it has its comb, and when the comb is removed it becomes depressed and no longer procreates. However, it is not actually castrated. Rather, apparently this remedy for jaundice is permitted only for one who is castrated and for whom causing sterility is not a concern.

The Gemara asks: Didn't Rabbi Hiyya bar Abba say that Rabbi Yohanan said:

Perek XIV

Daf 111 Amud a

הכל מודים במחמץ אחר מחמץ שהוא חייב, שנאמר: "לא תאפה חמץ" "לא תעשה חמץ". במסרס אחר מסרס – שהוא חייב, שנאמר: "ומעוך וכתות ונתוק וכוות", אם על פרות חייב – על נתוק לא כל שכן! אלא: להביא נתוק אחר פורת שהוא חייב. ואלא: בזקן.

Everyone agrees that one who leavens a meal-offering after one who already leavened⁶ it is liable for the additional leavening, as it is stated: "It shall not be baked leavened" (Leviticus 6:10), and it is also stated: "No offering that you sacrifice to God shall be made with leaven" (Leviticus 2:11). The Sages interpreted this to mean that one is liable for every act of leavening performed on a Temple offering. Similarly, everyone agrees that one who castrates after one who castrates⁷ is liable, as it is stated: "Those whose testicles are bruised, or crushed, or torn, or cut, shall not be offered to the Lord, and you shall not do this in your land" (Leviticus 22:24). Presumably, if one is liable when the seminal vesicles are cut, when the testicles are detached altogether all the more so one is liable. Rather, this comes to include that one who detaches after one who cuts is liable. Apparently, one is liable for sterilizing one who is already castrated. Rather, we must say that it is permitted to use a remedy that causes sterility in an old man who is no longer capable of procreating.

BACKGROUND

These have restored me to my youth – הָן הִחְיִינוּנִי – לְנַעֲרוּתִי: Apparently, Rabbi Yoḥanan is not referring to remedies for barrenness. Rather, he remembers those medicines that increase male virility, which include the possibility of restoring procreative function.

HALAKHA

Female sterilization – סְיוּם בְּאִשָּׁה – Causing a woman to become sterile is not included in the prohibition against castration, and one is not liable for doing so. According to the Rambam, it is prohibited even though the perpetrator is exempt from punishment (*Maggid Mishne*; Rambam *Sefer Kedusha*, *Hilkhot Issurei Bia* 16:6; *Shulḥan Arukh*, *Even HaEzer* 5:12).

Sipping vinegar – גְּמִיעַת חוּמֶץ – One who has a toothache on Shabbat may not sip vinegar and spit it out. However, it is permitted to sip and swallow the vinegar or dip one's food in vinegar, in accordance with the opinion of Abaye (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:24; *Shulḥan Arukh*, *Orah Hayyim* 328:32).

וְהָאֵמַר רַבִּי יוֹחָנָן: הֵן הִן הִחְיִינוּנִי לְנַעֲרוּתִי! אֲלֵא בְּאִשָּׁה. וְלִרְבִּי יוֹחָנָן בֶּן בְּרוּקָא, דְּאָמַר: עַל שְׁנֵיהֶם הוּא אוֹמֵר "וַיְבָרֶךְ אוֹתָם אֱלֹהִים וַיֹּאמֶר לָהֶם פְּרוּ וּרְבוּ," מֵאֵי אֵיכָא לְמִימַר? בְּקִינָה, אִי נִמְי: בְּעִקְרָהּ.

מתני' החושש בשיניו לא יגמץ בהן את החומץ, אבל מטביל הוא כדרכו, ואם נתרפא – נתרפא. החושש במתניו לא יסוך יין וחומץ, אבל כך הוא את השמן, ולא שמן וורד. בני מלכים סכין שמן וורד על מכותיהן, שכן דרכן לסוך בחול. רבי שמעון אומר: כל ישראל בני מלכים הם.

גמ' רמי ליה רב אחא אריכא, דהוא רב אחא בר פפא, לרבי אבהו: תנן "החושש בשיניו לא יגמץ בהן את החומץ", למימרא דחומץ מעלי לשינים – והכתיב: "כחמץ לשינים וכעשן לעינים!" לא קשיא, הא – בקינה דפרי, הא – בחלא. ואיבעית אימא: הא והא בחלא, הא – דאיכא מכה, הא – דליכא מכה. איכא מכה – מסי, ליכא מכה – מרפי.

"לא יגמץ בהן את החומץ". והתנא: "לא יגמץ ופולט, אבל מגמץ ובולע!" אמר אביי: כי תנן נמי מתניתין מגמץ ופולט תנן. רבא אמר: אפילו תימא מגמץ ובולע, כאן – לפני טיבול, כאן – לאחר טיבול.

The Gemara asks: Didn't Rabbi Yoḥanan say with regard to remedies that restore procreative ability: **These have restored me to my youth?**⁸ Apparently, even an elderly man can procreate with the proper remedy. Rather, the remedy for jaundice was discussed with regard to a woman,⁹ who is not commanded to reproduce. The Gemara asks: And according to Rabbi Yoḥanan ben Beroka, who said: The mitzva is incumbent on both of them, the man and the woman, as it states: "And God blessed them and God said to them: Be fruitful and multiply and fill the earth and conquer it" (Genesis 1:28), what is there to say? How could a woman use this remedy? In his opinion a woman is also commanded to procreate. The Gemara answers: In his opinion, this remedy may be used for an elderly woman or, alternatively, for a barren woman. He would agree that there is no prohibition to cause infertility in a woman who cannot conceive.

MISHNA One who is concerned about pain in his teeth may not sip vinegar¹⁰ through them on Shabbat for medicinal purposes: however, he may dip his food in vinegar in his usual manner and eat it, and if he is healed by the vinegar, he is healed. One who is concerned about pain in his loins may not smear wine and vinegar on them on Shabbat because that is a medical treatment. However, one may smear oil on them. However, one may not use rose oil, which is very expensive and used exclusively as a cure. However, princes may smear with rose oil on their wounds on Shabbat because it is their usual manner to smear rose oil on themselves during the week for pleasure. Rabbi Shimon says: All of the Jewish people are princes, and it is permitted for them to smear rose oil on themselves on Shabbat.

GEMARA Rav Aḥa Arikha, so named for his height as the word *arikha* literally means long in Aramaic, who is also known as Rav Aha bar Pappa, raised a contradiction before Rabbi Abbahu: We learned in the mishna that one who is concerned about pain in his teeth may not sip vinegar through them on Shabbat. Is that to say that vinegar is beneficial for teeth? Isn't it written: "Like vinegar to the teeth, and like smoke to the eyes, so is the lazy one to those who send him" (Proverbs 10:26)? The Gemara answers: This is not difficult, as there is a distinction. This verse, which indicates that vinegar is harmful for teeth, is referring to fruit vinegar.¹¹ The mishna, which indicates that vinegar is beneficial for teeth, is referring to wine vinegar. And if you wish, say instead that both this and that are referring to wine vinegar. In that case, the distinction is as follows: The mishna, which states that vinegar is beneficial for teeth, is referring to a situation in which there is a wound in the teeth. That verse, which indicates that it is harmful for teeth, is referring to a situation in which there is not a wound in the teeth. The Gemara explains: Where there is a wound, vinegar heals; where there is not a wound, it weakens the teeth.

We learned in the mishna: One may not sip vinegar through his teeth on Shabbat. The Gemara asks: Wasn't it taught in a *baraita* that the prohibition to sip vinegar on Shabbat means that one may not sip and spit it out; however, one may sip and swallow it? Abaye said: When we learned this ruling in the mishna, we learned it with regard to the case of one who sips and spits it out. Rava said: Even if you say that the mishna prohibits sipping vinegar even in a case where one sips and swallows it, there is still a distinction. Here, the *baraita* permits sipping vinegar before dipping one's food in it, as he appears to be doing so for pleasure. Here, the mishna prohibits sipping vinegar after dipping,¹² when it is clear that one is doing so for medicinal purposes.

NOTES

Fruit vinegar – בקינה דפרי: According to the Jerusalem Talmud, fruit vinegar is good for one's teeth, in contrast to wine vinegar.

After dipping – לאחר טיבול: Based on the Jerusalem Talmud, Rabbeinu Ḥananel writes that vinegar can only heal teeth

when it is dipped in food. In the *Tosefot Rid* it is explained that before dipping one appears to taste the vinegar to determine if it is good for dipping, and the medicinal purpose is not apparent. That is not the case after one already dipped food in it.

וַיֵּמָא: מַדְלַפְנִי טִיבּוּל שְׂרִי, לְאַחַר טִיבּוּל נָמִי שְׂרִי! דְּשִׁמְעִין לִיהַ לְרַבָּא דְּאִית לִיהַ "הוּאִיל".

דְּאָמַר רַבָּא: לִיכָא מִיַּדִּי דְּבִשְׁבַת שְׂרִי וּבְיוֹם הַכְּפוּרִים אָסוּר, הוּאִיל דְּבִשְׁבַת שְׂרִי – בְּיוֹם הַכְּפוּרִים נָמִי שְׂרִי!

הָדָר בֵּיהּ רַבָּא מִהֵךְ. מִמָּאִי דְּמִהֵךְ הָדָר בֵּיהּ, דִּילְמָא מִהֵהִיא הָדָר בֵּיהּ? לֹא סָלְקָא דַּעְתָּךְ, דְּתַנָּי: כָּל חֵיבִי טְבִילוֹת טוֹבְלִין כְּדָרְכֵן, בֵּין בְּתַשְׁעָה בָּאֵב בֵּין בְּיוֹם הַכְּפוּרִים.

"הַחוּשׁ שׁ בְּמַתְנֵי כו'". אָמַר רַבִּי אָבָא בַר זְבִדָּא אָמַר רַב: הִלְכָּה כְּרַבִּי שְׁמַעוֹן. לְמִימְרָא דְּרַב כְּרַבִּי שְׁמַעוֹן סְבִירָא לִיהַ? וְהָאָמַר רַב שִׁמִּי בַר חִיָּא מְשַׁמֵּיהּ דְּרַב: הָאִי מְסוּכְרִיָּא דְּנִיִּיתָא

The Gemara asks: **And let us say that since before dipping it, sipping it is permitted, after dipping it sipping it is also permitted. As we heard that Rava accepts the principle of since.**⁸ The principle of since is illustrated in the following example: The Sages discussed whether one may immerse himself in a ritual bath on Shabbat, even though immersion is similar to repairing oneself through purification and is therefore prohibited. The conclusion of that discussion was that immersion is permitted because it appears as if the individual is bathing for pleasure. On the other hand, immersion is prohibited on Yom Kippur, as bathing for pleasure is prohibited then.

Rava said: **There is nothing that is permitted on Shabbat and prohibited on Yom Kippur.** The principle is: **Since it is permitted on Shabbat, it is also permitted on Yom Kippur.** Although the reason to permit bathing on Shabbat does not apply on Yom Kippur, Rava nonetheless permits it due to the principle of since. The decrees of the Sages should be applied equally to whatever degree possible, without making distinctions for particular cases. Here, too, in the case of sipping vinegar, since it is permitted to sip vinegar before dipping food, it should also be permitted to sip vinegar after dipping food.

The Gemara answers: **Rava retracted that statement and prohibited sipping vinegar.** The Gemara asks: **From where can it be determined that he retracted that statement? Perhaps he retracted this statement with regard to immersion in a ritual bath on Yom Kippur.** The Gemara answers: **It does not enter your mind to say so, as it was taught in a baraita: All obligated in immersions immerse in their usual manner, both on the Ninth of Av and on Yom Kippur.** Rava certainly does not dispute this *baraita*.

We learned in the mishna: **One who is concerned about pain in his loins may not smear rose oil on them on Shabbat,** and Rabbi Shimon permits doing so. **Rabbi Abba bar Zavda said that Rav said: The halakha is in accordance with the opinion of Rabbi Shimon.** The Gemara is surprised at this: **Is that to say that Rav holds in accordance with the opinion of Rabbi Shimon?**^N **Didn't Rav Shimi bar Ḥiyya say the following in the name of Rav? With regard to this cloth stopper inserted into the spout of a barrel,**^{NH}

BACKGROUND

Since – הואיל – This principle is found in numerous halakhic discussions. Although it differs from case to case, this principle is primarily applied to avoid creating distinctions within the decrees of the Sages, despite the fact that avoiding distinctions may result in lenient rulings.

NOTES

Is that to say that Rav holds in accordance with the opinion of Rabbi Shimon – לְמִימְרָא דְּרַב כְּרַבִּי שְׁמַעוֹן סְבִירָא לִיהַ – This passage puzzled the early commentaries. They asked: Where does the assumption that Rav generally agrees with Rabbi Shimon with regard to all of the *halakhot* of Shabbat come from? Why can't a scholar agree with Rabbi Shimon with regard to only one *halakha*? The Rashba quotes some commentaries who answer that the Sages had a tradition that whoever accepts Rabbi Shimon's opinion with regard to one *halakha* of Shabbat agrees with him in all other areas of the *halakhot* of Shabbat as well. The Ba'al HaMaor offers an alternative explanation, by which the Sages had a tradition that Rav did not accept Rabbi Shimon's Shabbat rulings. According to most commentaries, though, there is indeed a connection, since the assertion that all Jewish people are princes is an insufficient reason for leniency. Consequently, the principle that an unintentional act, with regard to which Rabbi Shimon is lenient, is permitted must also be taken into consideration. This must be the case, as even if Jewish people are princes and are fit to use rose oil, it should be prohibited on Shabbat due to its healing properties (Rashba; *Tosafot*; Rav Elazar Moshe Horowitz).

Stopper inserted into...a barrel – מְסוּכְרִיָּא דְּנִיִּיתָא – Some commentaries explain that the prohibition involved in placing a cloth stopper in the spout of a barrel is not the subcategory of wringing the cloth, but building. Inserting the stopper effectively plugs a hole that is not used for drinking. Leaving the plug in the spout constitutes building or adding on to a building (see *Arukh*).

HALAKHA

Stopper inserted into...a barrel – מְסוּכְרִיָּא דְּנִיִּיתָא – Some authorities permit removing a cloth stopper from a wine barrel on Shabbat. In doing so there is no violation of the subcategory of wringing because the inevitable result is not desirable. Other authorities prohibit this act because the outcome is inevitable. The custom is to be lenient in this matter, and people should be given the benefit of the doubt that there is a reason for this leniency. One should take care not to plug a barrel while there is a vessel underneath it, as in that case he would benefit from wringing the cloth (*Shulḥan Arukh, Oraḥ Ḥayyim* 320:18).

Perek XIV

Daf 111 Amud b

אָסוּר לְהַדוּקִיָּה בְּיוֹמָא טַבָּא! בְּהֵהִיא אֲפִילוּ רַבִּי שְׁמַעוֹן מוֹדָה, דְּאִבֵּי וְרַבָּא דְּאָמְרֵי תְרוּוּיָהּ: מוֹדָה רַבִּי שְׁמַעוֹן בְּפָסִיק רִישִׁיהּ וְלֹא יָמוּת.

it is prohibited to insert it tightly on a Festival due to the prohibited labor of wringing. Doesn't Rabbi Shimon permit performing an unintentional act from which a prohibited labor may ensue? The Gemara answers: **In that case, even Rabbi Shimon concedes that it is prohibited, as it was Abaye and Rava who both said: Rabbi Shimon concedes in instances categorized as: Cut off its head and it shall not die.** This category refers to situations where the ensuing prohibited labor is inevitable. In those kinds of cases, one is liable even according to Rabbi Shimon. Since stuffing a cloth into a barrel will inevitably lead to wringing wine from it, Rabbi Shimon concedes that doing so is forbidden.

BACKGROUND

הלכה...ולא מטעמיה – The *halakha* is...but not for his reason – This kind of halakhic ruling is unusual. In general, when a *halakha* is decided in accordance with the opinion of one of the Sages, his reasoning is accepted as well. Occasionally, however, the Gemara accepts a halakhic decision on practical grounds but rejects the rationale.

LANGUAGE

Rose [vered] – וורד: The origin of this word, as well as that of the Aramaic word *varda*, is the Iranian word *ward*, meaning rose. Rose cultivation was and remains popular in Persia, which is why rose oil was more common in Babylonia, where Rav lived, than in Eretz Yisrael.

HALAKHA

Smearing rose oil – סיכה בשמן וורד: On Shabbat, one may not smear rose oil for medicinal purposes. However, it is permitted in locations where rose oil is commonly available and people use it for other purposes (*Shulḥan Arukh, Oraḥ Ḥayyim* 327:1).

והאמר רב חייא בר אשי אמר רב: הלכה כרבי יהודה, ורב חנן בר אמי אמר שמואל: הלכה כרבי שמעון. ורב חייא בר אבין מתני לה בלא גברי, רב אמר: הלכה כרבי יהודה, ושמואל אמר: הלכה כרבי שמעון! אלא אמר רבא: אני וארי שבחבורה תרגימנא, ומנו – רבי חייא בר אבין, הלכה כרבי שמעון – ולא מטעמיה.

מאי "הלכה כרבי שמעון ולא מטעמיה"? אילימא הלכה כרבי שמעון – דשרי, ולא מטעמיה – דאילו רבי שמעון סבר: מסי, ורב סבר: לא מסי. וסבר רב לא מסי! והא מדקתני: בני מלכים סכין על גבי מפותיהן שמן וורד – מכלל דמסי! אלא: הלכה כרבי שמעון – דשרי, ולא מטעמיה; דאילו רבי שמעון סבר: אף על גב דלא שכיח – שרי, ורב סבר: אי שכיח – אין, ואי לא שכיח – לא, ובאתרא דרב שכיח משחא דוורדא.

The Gemara asks again: Didn't Rav Ḥiyya bar Ashi say that Rav said explicitly: The *halakha* is in accordance with the opinion of Rabbi Yehuda, and Rav Ḥanan bar Ami said that Shmuel said: The *halakha* is in accordance with the opinion of Rabbi Shimon. And Rav Ḥiyya bar Avin taught the same tradition without mentioning the names of the men who cited the statements, but cited it directly: Rav said: The *halakha* is in accordance with the opinion of Rabbi Yehuda, and Shmuel said: The *halakha* is in accordance with the opinion of Rabbi Shimon. Rather, Rava said: I and the lion of the group explained this. And the Gemara asks: And who is the lion of the group? It is Rabbi Ḥiyya bar Avin. He and Rava explained: The *halakha* is indeed in accordance with the opinion of Rabbi Shimon, but not for his reason.⁸

The Gemara explains: What exactly is the meaning of the statement: The *halakha* is in accordance with the opinion of Rabbi Shimon, but not for his reason? If we say the *halakha* is in accordance with the opinion of Rabbi Shimon, who permits smearing rose oil, but not for his reason, because Rabbi Shimon holds that rose oil heals, and Rav holds that it does not heal, which is why he permits smearing it on Shabbat, then does Rav hold that rose oil does not heal? From the fact that it is taught: Princes smear rose [vered]¹ oil on their wounds;² by inference, it heals. Rather, it means: The *halakha* is in accordance with the opinion of Rabbi Shimon, who permits rose oil, but not for his reason. As Rabbi Shimon holds that although rose oil is uncommon and expensive, and anyone who sees one smearing it realizes that it is for medicinal purposes, nevertheless, it is permitted. And Rav holds that if rose oil is common in a given place, yes, one may smear it on himself; however, if it is not common there, it is not permitted. And in Rav's place, roses were common, and that is why he permitted smearing with rose oil on Shabbat. However, in a place where rose oil is uncommon, he concedes to the Rabbis, who prohibited doing so.

הדרן עלך שמנה שרצים

Summary of **Perek XIV**

In this chapter, it was concluded that one who kills a living creature of any kind is liable for taking a life on Shabbat. However, with regard to creeping animals, it was determined that one is liable for wounding on Shabbat only those eight creeping animals that are enumerated in the Bible with reference to the laws of impurity. One is not liable for wounding other creeping animals because there is no evidence that their skin is considered halakhic skin. Therefore, one who inflicts a wound upon them is liable only when blood actually flows from the body of the creature; internal bleeding is not considered a bruise from a legal perspective.

This chapter's discussion of healing on Shabbat provided minutely detailed descriptions of all sorts of medicines, especially those that have medicinal value but are typically eaten or drunk by healthy individuals. The rule was explained as follows: Any substance which is normally ingested for non-medicinal purposes can be consumed by a sick person for curative purposes. However, medical procedures a healthy person would not normally perform are prohibited on Shabbat because it is apparent to all that the procedure is medical. In that case, a sick person may only perform the procedure in an unusual and distinctive manner, not in the manner in which it is customarily practiced as a medicine. Of course, in any life-threatening situation, it is permitted to perform even primary categories of prohibited labor.

Introduction to **Perek XV**

This chapter contains two distinct topics. The first topic is the primary labors of tying and untying knots. The Gemara specifies, explains, and identifies these labors.

Tying and untying, as is the case with regard to the labors of building and destroying, constitute a pair of labors for which one is liable for one labor only under the same conditions for which he liable for the other, e.g., one is liable for either tying or untying only if the knot is a permanent one.

To understand these labors, it is first necessary to clarify what constitutes a knot. What are the types of knots that the Torah prohibited one to tie or untie on Shabbat? Several traditions were received by the Sages on this matter. They too require analysis and additional clarification.

There is a fundamental principle that one is liable for tying or untying only a permanent knot, i.e., a knot designed to endure. This requirement precludes knots made to be immediately undone as well as knots meant to be undone in the near future. The definition of permanence as it pertains to a knot requires further clarification. Does permanence relate to the function of the knot, the method by which the knot was tied, or both? If permanence relates only to the method of tying, it is only necessary to ascertain if a knot was tied in such a manner that it can endure for a long period of time. If so, the person who tied the knot is liable for his action, even if he intended for the knot to be temporary and planned to immediately untie it.

During this discussion, many sets of circumstances are described, including various types of knots and various uses of materials. Consideration is given to both knots tied in a common, simple manner and knots tied with utensils or parts of vessels, such as the knots of shoes, sandals, and the like. The central theme of this chapter is the qualifications of a knot for the purposes of both Torah law and rabbinic decree.

The second topic included in this chapter, which appears only incidentally and to which a small portion of the chapter is dedicated, is the prohibition to prepare on Shabbat for the rest of the week. There are activities whose performance involves no Torah prohibition whatsoever, or at the most involves a minor risk of violating a rabbinic prohibition; however, the Sages prohibited them in cases in which their performance on Shabbat constitutes preparation for the weekdays. It is considered irreverent to prepare for the weekdays on the supremely holy day of Shabbat. This broad general principle requires elaboration: Which activities are permitted within this framework, and which preparatory activities remain prohibited? This issue is elucidated in detail in this chapter.

מתני' ואלו קשרים שחייבין עליהן: קשר הגמלין, וקשר הספנין. וכשם שהוא חייב על קישורין – כך הוא חייב על היתרן. רבי מאיר אומר: כל קשר שהוא יכול להתירו באחת מידיו אין חייבין עליו.

גמ' מאי קשר הגמלין וקשר הספנין? אילימא קטרא דקטרי בזממא, וקטרא דקטרי באיסטרידא – האי קשר שאינו של קנימא הוא! אלא: קטרא דזממא גופיה, ודאיסטרידא גופיה.

"רבי מאיר אומר כל קשר כו." בעי רב אהדבוי אחוי דמר אחא: עניבה לרבי מאיר, מהו? טעמיה דרבי מאיר – משום דיכול להתירו באחת מידיו הוא. והא נמי – יכול להתירו! או דילמא: טעמא דרבי מאיר – משום דלא מיהדרק, והא מיהדרק? תיקו.

מתני' יש לך קשרין שאין חייבין עליהן בקשר הגמלין ובקשר הספנין. קושרת אשה מפתח חלוקה, וחוטית סבכה, ושל פסקיא, ורצועות מנעל וסנדל, ונודות יין ושמן, וקדירה של בשר. רבי אליעזר בן יעקב: אומר קושרין לפני הבמה בשביל שלא תצא.

גמ' הא גופא קשיא: אמרת "יש קשרין שאין חייבין עליהן בקשר הגמלין ובקשר הספנין" תיבא הוא דליכא, הא איסורא – איכא. והדר תני: קושרת אשה מפתח חלוקה – אפילו לכתחילה! הכי קאמר: יש קשרין שאין חייבין עליהן בקשר הגמלין ובקשר הספנין, ומאי ניהו –

MISHNA And these are knots^N for which one is liable to bring a sin-offering if one tied them on Shabbat:^H A camel driver's knot and a sailor's knot,^N both of which are meant to be permanent. And just as one is liable to bring a sin-offering for tying these knots, so too, he is liable to bring a sin-offering for untying them.^H Rabbi Meir says a principle: For tying any knot that one can untie with one of his hands, one is not liable to bring a sin-offering, because a loose knot of that sort is not considered permanent even if that was his intention.

GEMARA The Gemara asks: What are a camel driver's knot⁸ and a sailor's knot? If you say that these are a knot that one uses to tie a strap to the camel's nose ring in order to pull it and a knot that one uses to tie a rope to the ring [isterida]^L fixed to the bow of a ship when the ship is docked, then these knots are not meant to be permanent, as they are periodically untied. Rather, a camel driver's knot is the knot that fixes the nose ring itself in the camel's nose, and the sailor's knot is the knot that fixes the ring itself to the ship. These knots are never untied and are permanent.

We learned in the mishna that Rabbi Meir says a principle: For tying any knot that one can untie with one of his hands, one is not liable for tying it. Rav Ahadvoy, brother of Mar Aha, raised a dilemma: With regard to tying a bow, what is the ruling according to Rabbi Meir? Is it permitted to tie it tightly on Shabbat or not? The dilemma is: Is the reason for the opinion of Rabbi Meir merely that because one can untie the knot with one of his hands it is not considered a permanent knot, and this bow too, he can untie it with one of his hands and therefore he would not be liable for tying on Shabbat? Or perhaps the reason for the opinion of Rabbi Meir is because typically a knot that can be untied with one hand is not particularly tight, and this bow is tight and therefore it is prohibited to tie it on Shabbat. This dilemma is not resolved, and the Gemara concludes: Let it stand unresolved.

MISHNA You have knots for which one is not liable to bring a sin-offering as one is liable for tying a camel driver's knot and a sailor's knot; however, it is nevertheless prohibited to tie them. A woman may tie closed the opening of her robe^H with straps, as well as the strings of her hairnet and the laces of her girdle, i.e., a wide belt tied with laces. One may also tie the straps of a shoe or a sandal, as well as the spouts of wine or oil jugs. One may also tie a garment over a pot of meat. Rabbi Eliezer ben Ya'akov says: One may tie a rope across an entrance before an animal so that it will not go out.

GEMARA The Gemara asks: This matter itself is difficult, as there is an internal contradiction in the mishna. On the one hand, you said that there are knots for which one is not liable to bring a sin-offering as he is for tying a camel driver's knot and a sailor's knot, which would seem to indicate that although there is no Torah liability, there is a rabbinic prohibition. And then it was taught that a woman may tie the opening of her robe, indicating that doing so is permitted even *ab initio*. The Gemara answers that this is what the mishna is saying: There are knots for which one is not liable to bring a sin-offering for tying them on Shabbat as he is for tying a camel driver's knot and a sailor's knot. And which are these?

HALAKHA

And these are knots for which one is liable to bring a sin-offering if one tied them on Shabbat – ואלו קשרים שחייבין עליהן: One who ties a permanent, professional knot on Shabbat, e.g., a camel driver's knot or a sailor's knot, is liable for performing the prohibited labor of tying on Shabbat. It is likewise prohibited to tie a permanent knot that is not a professional knot as well as a professional knot that is temporary. However, one is exempt from bringing a sin-offering for tying knots such as these (Rambam *Sefer Zemanim, Hilkhot Shabbat* 10:1; *Shulhan Arukh, Oraḥ Hayyim* 317:1).

So too, he is liable to bring a sin-offering for untying them – כך

הוא חייב על היתרן: It is also prohibited to untie on Shabbat any knot that it is prohibited to tie on Shabbat. Just as one is liable for tying a permanent knot, he is liable for untying that knot, provided he does so for a specific purpose (*Shulhan Arukh, Oraḥ Hayyim* 317:1).

A woman may tie closed the opening of her robe – קושרת אשה: A woman may tie the opening of her garment as well as other knots that are not professional knots if they are not designated to remain tied permanently. It is permitted to tie these knots *ab initio* (Rambam *Sefer Zemanim, Hilkhot Shabbat* 10:3).

NOTES

Knots in the Tabernacle – קשרים במשכן: In the Jerusalem Talmud, different opinions are cited with regard to the knots used in the Tabernacle. One opinion points to the pegs anchoring the ropes that held the courtyard walls in place. The pegs themselves were not actually permanent and would occasionally be moved. However, since the nation traveled only by divine command, the pegs were considered permanent, and therefore the knots with which the ropes were tied to the pegs were also considered permanent. Other commentaries are of the opinion that permanent knots were used when tying the strings that ripped in the fabric of the Tabernacle's curtains.

Prohibited knots – קשרים אסורים: The authorities disagree about the nature of the knots used by a camel driver and a sailor, and this dispute has many ramifications. According to Rashi, these two knots are merely examples, and the Torah in fact prohibits tying any permanent knot. The Rambam and others, however, are of the opinion that the knots mentioned in the mishna are not merely permanent knots but professional riggings. Consequently, one is liable only for tying a professional knot on Shabbat and not for tying an ordinary knot, even if it is a permanent one.

LANGUAGE

Ring [isterida] – איסטרידא: The precise form and origin of this word is unclear. Some authorities believe that it is from the Greek τέθριππος, *terthriyos*, meaning a rope tied to the mast of a ship, or special holes on a mast through which ropes are inserted.

BACKGROUND

Camel driver's knot – קשר הגמלין:



Camel with a fixed nose ring

BACKGROUND

Two laces – תרי דשי –



Garment with two laces, like those worn in talmudic times

Sandal – סנדל: Almost all of the straps on these sandals are loose and retied every day. The residents of Mehoza apparently wore sandals similar to these.



Roman noble's sandals with loose straps

This sandal has one knot that can be untied on its upper part. The rest of the knots are tied by the shoemaker and are not untied.



Detail of statue with Roman sandal from the talmudic period

The sandal below is not shaped like a foot. If the strap between the toes breaks, the sandal can easily be turned around and worn on the other foot, using what used to be the front of the sandal as the heel. There are more than four ears and four straps on this sandal. The interpretation suggested later in the Gemara is not simply theoretical but relates to an actual sandal.



Sketch of Roman sandal from the mishnaic period

קיטרא דקטרי בזממא. וקיטרא דקטרי באיסקטרידא, חיובא הוא דליכא, הא איסורא – איכא. ויש שמוותרין לכתחילה, ומאי ניהו – קושרת מפתחי חלוקה.

”מפתח חלוקה.” פשיטא! לא צריכא, דאית ליה תרי דשי. מהו דתימא: חדא מיניהו בטולי מבטיל, קא משמע לן.

”ורצונו סבכה.” פשיטא! לא צריכא דריוחא לה. מהו דתימא: מישלף שלפא לה, קא משמע לן דאשה חסה על שער, ומישרא שריא לה.

”ורצונו מנעל וסנדל.” איתמר: התיב רצונו מנעל וסנדל, תני חדא: חייב חטאת, ותניא אידך: פטור אבל אסור, ותניא אידך מותר לכתחילה. קשיא מנעל אמנעל, קשיא סנדל אסנדל!

מנעל אמנעל לא קשיא, הא דקתני חייב חטאת – בדאושכפי, פטור אבל אסור – בדרבנן, מותר לכתחילה – בדבני מחוזא.

A knot with which one ties a strap to the camel's nose ring and a knot with which one ties a rope to the ring fixed to the bow of a ship, with regard to liability to bring a sin-offering, there is none; however, there is a rabbinic prohibition. And there are knots that are permitted to be tied on Shabbat *ab initio*. And which are these? The knot that a woman uses to tie the opening of her robe.

We learned in the mishna: A woman may tie the opening of her robe on Shabbat. The Gemara states: This is obvious, as the knot is meant to be untied and is therefore not permanent. The Gemara explains: It is only necessary to state this *halakha* in a case where the robe has two laces^b with which to tie the opening. Lest you say that one of them may become void because the woman can remove the garment even with one string, leaving the one not untied a permanent knot, it therefore teaches us that neither knot is considered permanent.

We learned in the mishna: And a woman may tie the strings of her hairnet on Shabbat. The Gemara states: This is obvious. The Gemara clarifies the matter: It was only necessary to state this *halakha* in a case where the hairnet is tied loosely on her head. Lest you say that she sometimes removes it without untying it and the knots remain, the mishna teaches us that a woman is protective of her hair and avoids pulling it out, and therefore she unties the hairnet to avoid damaging her hair.

We learned in the mishna: And it is permitted to tie the straps of a shoe or a sandal^b on Shabbat. It was stated with regard to one who untied the straps of a shoe or a sandal: One *baraita* taught that one who did so on Shabbat is liable to bring a sin-offering; and it was taught in another *baraita* that one is exempt by Torah law, and it is prohibited to untie those straps *ab initio*; and it was taught in another *baraita* that it is permitted to untie these knots *ab initio*. This is difficult, as there is a contradiction between one statement with regard to a shoe and another statement with regard to the straps of a shoe; and this is difficult, as there is a contradiction between one statement with regard to the straps of a sandal and another statement with regard to the straps of a sandal.

The Gemara explains: The apparent contradiction between one statement with regard to a shoe and the other statement with regard to a shoe is not difficult, as that *baraita*, which teaches that one is liable to bring a sin-offering, is referring to a shoemaker's knot, which is permanent as it holds the shoe together. The *baraita* that states that he is exempt by Torah law and it is prohibited by rabbinic decree is referring to the shoe worn by Sages, as they often tie their shoes loosely so they can easily put on and remove their shoes. The *baraita* that teaches that it is permitted to tie shoes *ab initio* is referring to such knots used by the residents of the city of Mehoza,ⁿ who are meticulous in their dress and who tie and untie their shoes every day.

NOTES

Sages and the residents of Mehoza – דבני יבני מחוזא: Some commentaries explain that these different methods of tying shoes were based on the distance and speed that each of these groups would typically walk. Arab merchants, who walked through the desert,

required shoes and sandals that fit tightly and properly, while the rabbis, who were not typically in such a hurry, wore their shoes more loosely. The people of Mehoza were pampered and wore shoes that fit loosely (see *Me'iri*).

Straps – בְּדוּחִימָתָא: Some explain that the Gemara interprets both *baraitot* as referring to the same type of sandal. However, there is a difference between Arabs, who tighten their sandals, and other people, who do not tighten them as much. According to Rabeinu Hananel's interpretation, a *humarta* is the leather ring on a sandal into which the straps are inserted and tightened as necessary. The residents of Mehoza would tie their sandals directly onto their feet without any permanent knots.

A sandal in a karmelit – סַנְדָּל בְּכַרְמְלִית: Some authorities are of the opinion that the *halakha* in this case is contingent on the potential financial loss that may occur. Since a sandal left in a *karmelit* is not protected, the Sages allowed people to carry it there due to the potential monetary loss. Indeed, the Sages were lenient where carrying on Shabbat is prohibited by rabbinic law and there is potential monetary loss. On the other hand, one may not carry a sandal or other object in a courtyard since it is protected there (see Rabeinu Hananel). Other commentaries assert that the issue is not dependent on the question of monetary loss. Rather, since the shoe is not protected in a *karmelit*, the individual will not set it aside from his consciousness as he usually would when an object is useless, as he believes he could wear it by fastening it with a reed. However, in a courtyard, where the sandal is protected, he does not plan to wear it by fastening it with a reed and therefore sets it aside from his consciousness (Ra'avad).

I can switch it – הִפְכָּנָא לִיה: The *ge'onim* explain that one does not switch the sandal from the right foot to the left, but rather reverses the broken sandal and wears the back part in the front. Although the straps on one side are torn, one can keep the sandal on by holding the straps with his toes.

HALAKHA

סַנְדָּל שֶׁנִּפְסְקָה – סַנְדָּל שֶׁנִּפְסְקָה: If the inner strap of a sandal breaks on Shabbat, the sandal remains a utensil and it is permitted to carry it. If its outer strap broke, it is no longer considered a utensil and it is prohibited to carry it. If a strap broke in a *karmelit*, one may wrap a wet reed fit for animal consumption around the sandal to prevent it from falling off his foot. This is prohibited in a courtyard, where it is protected, in accordance with the opinion of Rabbi Abbahu and Rav Yosef (Shulhan Arukh, Orah Hayyim 308:15).

A sandal whose two ears...broke, etc. – סַנְדָּל שֶׁנִּפְסְקוּ שְׁתֵּי אָזְנוֹי וְכו': A ritually impure sandal whose two ears, heel, front, or sole broke becomes pure if it no longer holds most of the foot (Rambam Sefer Tahara, Hilkhot Kelim 7:12–13).

סַנְדָּל אֲסַנְדָּל לֹא קָשָׁי; הָא דִּקְתָּנִי חֵיב חֲטָאת – בְּדוּחִימָתָא, דְּקָטְרִי אוֹשְׁכָפִי פִטוֹר אֲבָל אֲסוֹר – בְּדוּחִימָתָא דְּקָטְרִי אֵינְהוּ, מוֹתֵר לְכַתְחִילָהּ – בְּסַנְדָּל דְּנִפְקִי בֵּיה בִּי תְרִי, כְּדִרְבֵּי יְהוּדָה. דְּרַב יְהוּדָה אַחוּה דְּרַב סָלָא חֲסִידָא הוּא לִיה הָהוּא וְגַא דְּסַנְדָּלִי, וְזִמְנִין דְּנִפְקִי בֵּיה אֵינְהוּ, וְזִמְנִין נִפְקִי בֵּיה יְנוּקָיָה. אֲתָא לְקַמְיָה דְּאַבְיִי, אָמַר לִיה: כְּהָא גֻּנָא מָאִי אָמַר לִיה: חֵיב חֲטָאת.

אָמַר לִיה: הֲשֵׁתָא "פִטוֹר אֲבָל אֲסוֹר" קָא קָשָׁי לִי, חֵיב חֲטָאת קָאמַרְתָּ לִּי! מָאִי טַעְמָא? אָמַר לִיה: מְשוּם דְּבַחֲוִל נְמִי, וְזִמְנִין נִפְקִינָא בֵּיה אָנָּא, וְזִמְנִין נִפְקִי בֵּיה יְנוּקָא. אָמַר לִיה: אֵי הָכִי – מוֹתֵר לְכַתְחִילָהּ.

רַבִּי יִרְמְיָה הוּא קְאָוִיל בְּתֵרִיָּה דְּרַבִּי אֲבָהוּ בְּכַרְמְלִית, אִיפְסִיק רְצוּעָה דְּסַנְדָּלִיה, אָמַר לִיה: מָאִי אַעֲבִיד לִיה? אָמַר לִיה: שְׁקוֹל גָּמִי לַח דַּחִי לְמַאֲכַל בְּהֵמָה, וְכוּרֹךְ עֵילוּיָהּ. אַבְיִי הוּא קָאִי קַמְיָה דְּרַב יוֹסֵף, אִיפְסִיק לִיה רְצוּעָה, אָמַר לִיה: מָאִי אַעֲבִיד לִיה? אָמַר לִיה: שְׁבָקִיָּה. מָאִי שְׁנָא מְדַרְבֵּי יִרְמְיָה? הֲתֵם לֹא מִינְטֵר, הָכָא – מִינְטֵר, וְהָא מָנָא הוּא. דָּאִי בְּעִינָא – הִפְכָּנָא לִיה מִימִין לְשִׁמְאַל! אָמַר לִיה: מְדַקְמָתְרִי רַבִּי יוֹחָנָן אֵלִיבָא דְּרַבִּי יְהוּדָה – שְׁמַע מִינָּה הִלְכָּה כְּרַבִּי יְהוּדָה.

מָאִי הִיא? דִּתְנִינָא: סַנְדָּל שֶׁנִּפְסְקוּ שְׁתֵּי אָזְנוֹי אוֹ שְׁתֵּי תַרְסִיּוֹתָיו, אוֹ שְׁנִיטָל כָּל הַכֶּף שָׁלוֹ – טָהוֹר, אַחַת מֵאָזְנוֹ אוֹ אַחַת מִתַּרְסִיּוֹתָיו, אוֹ שְׁנִיטָל רוֹב הַכֶּף שָׁלוֹ – טָמֵא. רַבִּי יְהוּדָה אָמַר: נִפְסְקָה פְּנִימִית – טָמֵא. הַחִיצוֹנָה – טָהוֹר. וְאָמַר עוּלָא וְאִיתִימָא רַבֵּה בַר בַּר חֲנָה אָמַר רַבִּי יוֹחָנָן: מִמַּחְלֻקַּת לַעֲנִין טוֹמְאָה, כִּךְ מִחְלֻקַּת לַעֲנִין שַׁבָּת, אֲבָל לֹא לַעֲנִין חִלְצָה.

וְהוּינָן בַּהּ: [רַבִּי יוֹחָנָן] אֵלִיבָא דְּמָאֵן? אֵלִימָא אֵלִיבָא דְּרַבָּנָן, מְדַלְעִין טוֹמְאָה מִנָּה הוּי – לַעֲנִין שַׁבָּת נִמְנָא הוּי, אֲבָל לֹא לַחֲלִיצָה דְּלָאו מִנָּה הוּא, וְהָתָנָן: חֲלִיצָה שֶׁל שְׁמָאֵל בְּיָמִין – חֲלִיצָתָה כְּשֶׁרָה! וְאֵלָּא אֵלִיבָא דְּרַבִּי יְהוּדָה, מְדַלְעִין טוֹמְאָה לָאו מִנָּה הוּא – לַעֲנִין שַׁבָּת נִמְי לָאו מִנָּה הוּא, אֲבָל לֹא לַחֲלִיצָה – דְּמָנָא הוּא.

Similarly, the contradiction between one statement with regard to the straps of a sandal and the other statement with regard to the straps of a sandal is not difficult, as that *baraita*, which teaches that one is liable to bring a sin-offering, is referring to Arab sandals, for which shoemakers tie permanent knots. And the *baraita* that teaches that he is exempt by Torah law and it is prohibited by rabbinic decree is referring to strapsⁿ that they, i.e., ordinary people, tie. The *baraita* that teaches that it is permitted to tie and untie the straps of a sandal *ab initio* is referring to a sandal shared by two people who alternate going out at different times. They untie and retie the straps each time to ensure that the sandals will fit properly, like the sandals of Rav Yehuda; as Rav Yehuda, brother of Rav Sala Hasida, had a pair of sandals, and sometimes he would go out wearing them and sometimes his child would go out wearing them. Rav Yehuda came before Abaye and said to him: What is the ruling in a case of this kind? May I tie the straps on Shabbat? Abaye said to him: Doing so renders you liable to bring a sin-offering.

Rav Yehuda said to him: Now, even if your ruling in that case had been that one is exempt by Torah law but it is still prohibited by rabbinic law, it would be difficult for me, and you say to me that the ruling is that one is liable to bring a sin-offering. Abaye asked him: What is the reason for that difficulty? Rav Yehuda said to him: Because on weekdays too I sometimes go out wearing them and sometimes my child goes out wearing them. Abaye said to him: If so, it is permitted to untie the straps *ab initio*.

Rabbi Yirmeya was walking after Rabbi Abbahu in a *karmelit* on Shabbat when the strap of his sandal tore.^{NI} Rabbi Yirmeya said to Rabbi Abbahu: What should I do to it? Rabbi Abbahu said to him: Take a moist reed fit for animal consumption and wrap it around the sandal to fasten it. And the Gemara relates: Abaye was standing before Rav Yosef on Shabbat when the strap of his sandal tore. Abaye said to Rav Yosef: What should I do with it? He said to him: Leave it and do not move it. Abaye said to him: How is this case different from that of Rabbi Yirmeya? He answered him: There the sandal would not have been protected; here it will be protected. Abaye said to him: But it remains a utensil and may therefore be moved on Shabbat, as if I so desire, I can switch it^N from the right foot to the left foot and wear it. Rav Yosef said to him: From the fact that Rabbi Yohanan explains the matter in accordance with the opinion of Rabbi Yehuda, as will be explained, conclude from it that the *halakha* is in accordance with the opinion of Rabbi Yehuda. Therefore, a torn sandal is not considered to be a utensil even if it were switched, i.e., turned around.

The Gemara asks: What is that opinion of Rabbi Yehuda? As it was taught in a *baraita*: A sandal that was ritually impure, whose two ears that hold the straps or whose two straps (*ge'onim*) broke,^H or whose entire sole was removed, becomes ritually pure because it is no longer a utensil. However, if only one of its ears or one of its straps broke, or if only most but not all of its sole was removed, it remains impure. Rabbi Yehuda says: If the inner strap broke it remains impure, because the outer strap can still be used. If the outer strap broke it is rendered pure. And Ulla, and some say Rabba bar bar Hana, said that Rabbi Yohanan said: Like there is a dispute with regard to ritual impurity, so too, there is a dispute with regard to Shabbat, i.e., whether or not it is permitted to wear such a sandal on Shabbat. However, there is no dispute with regard to *halitza*.

And we discussed this issue: In accordance with whose opinion is the statement of Rabbi Yohanan? If you say that it is in accordance with the opinion of the Rabbis, and the *baraita* is explained as follows: From the fact that it is a utensil with regard to ritual impurity, it is also a utensil with regard to Shabbat, but it is not considered a utensil with regard to *halitza*. However, didn't we learn in a mishna: If she removed the left shoe, which was on the right foot of her brother-in-law, her *halitza* is valid? Apparently, a woman can perform *halitza* even when the shoe is on the wrong foot, and it is not deemed unfit for *halitza*. Rather, Rabbi Yohanan's opinion must be in accordance with the opinion of Rabbi Yehuda, and is saying the following: From the fact that with regard to impurity it is not a utensil, with regard to Shabbat it is also not a utensil. However, that is not the case with regard to *halitza*, for which it is a utensil.

She removed the left shoe which was on the right foot – חֲלִיצַת שֶׁל שְׂמאל בְּיָמִין: If, when a woman performed the ritual of *halitza*, her brother-in-law was wearing the left shoe on his right foot, the procedure is still valid (*Shulhan Arukh, Even HaEzer* 169:22 in the comment of the Rema).

Perek XV

Daf 112 Amud b

HALAKHA

A sandal that one of its ears broke and he repaired it, etc. – סָנְדָּל שֶׁנִּפְסְקָה אֶחָת מֵאָזְנוֹ וְתִיקְנָהּ וְכוּ': A sandal that became ritually impure by treading, whose ear was broken and then repaired, retains the impurity. If the second ear also broke and was repaired, the sandal becomes ritually pure, because it is no longer the same sandal. However, it is still impure due to contact with the ritual impurity imparted by treading (*Rambam Sefer Tahara, Hilkhoh Kelim* 7:12).

NOTES

Impurity imparted by treading [*midras*] – טָמֵא מִדָּרָס: *Rashi* and *Tosafot* discuss this matter. It is unclear how ritual impurity imparted by treading is a factor. Some commentaries explain that the sandal was initially rendered impure in two ways: First, from the ritual impurity imparted by treading, and second, from the impurity contracted through contact with an object that is ritually impure by treading. Initially, the impurity imparted through contact with an object that is ritually impure by treading is insignificant in the face of the more severe impurity imparted by treading itself. However, once the utensil is voided to the point that it can no longer become impure with ritual impurity imparted by treading, the previous impurity still remains. Others posit that this makes sense only with regard to the other ear. That ear was pure before it was included in the sandal, and it subsequently contracted impurity through contact with an object that is ritually impure by treading, thereby rendering the entire sandal impure (see *Rashba*).

So as not to break Rabbi Yohanan's statement – שְׁלֵא לְשַׁבּוֹר: According to Rabbi Yitzhak ben Yosef, Rabbi Yohanan's statement does not correspond with the simple understanding of the mishna. However, since his opinion can be emended and interpreted differently, the Gemara does so in deference to Rabbi Yohanan (*Adderet Eliyahu*).

אֵימַר דְּאִמְרִין חֲלִיצָה שֶׁל שְׂמאל בְּיָמִין חֲלִיצַתָּהּ בְּשֶׁרָהּ. הִכָּא דְלְמִילְתִּיהָ מְנָא הוּא, הִכָּא לְמִילְתִּיהָ לֹא מְנָא הוּא; דְּהָא אָמַר רַבִּי יְהוּדָה: נִפְסְקָה חֲחִיצוֹנָה – טְהוֹר, אֲלֵמָּא לֹא מְנָא הוּא! לְעוֹלָם אֵלִיבָא דְרַבִּי יְהוּדָה, אֵימָא: וְכֵן לְחִלְצָהּ. וְהָא קִמְשָׁמַע לֵן דְּכִי אִמְרִין חֲלִיצָה שֶׁל שְׂמאל בְּשֶׁל יָמִין חֲלִיצַתָּהּ בְּשֶׁרָהּ – הִכָּא

The Gemara asks: Say that we said that if she removed the left shoe which was on the right foot,^h her *halitza* is valid, that applies only in a case where it is fit as a utensil for its usual purpose, i.e., it can be used as footwear. However, here it is not fit as a utensil for its usual purpose, as Rabbi Yehuda said: If the outer strap of the sandal tore, the sandal is rendered ritually pure. Apparently, according to Rabbi Yehuda, it is not a utensil. Rabbi Yohanan's statement is difficult according to both opinions. The Gemara answers: Actually, his opinion is in accordance with the opinion of Rabbi Yehuda; however, emend his statement and say that Rabbi Yohanan said: And this is the *halakha* with regard to *halitza* as well. And this teaches us that when we say that if she removed the left shoe that was on the right foot her *halitza* is valid, that is only in a case where

דְלְמִילְתִּיהָ מְנָא הוּא, אֲבָל הִכָּא – לְמִילְתִּיהָ לֹא מְנָא הוּא.

it is fit as a utensil for its usual purpose, i.e., it can be used as footwear. However, here it is not fit as a utensil for its usual purpose.

וּמִי אָמַר רַבִּי יוֹחָנָן הִכִּי? וְהָאָמַר רַבִּי יוֹחָנָן: הִלְכָּה בְּסָתָם מְשֻׁנָּה, וְתַנּוּ: סָנְדָּל שֶׁנִּפְסְקָה אֶחָת מֵאָזְנוֹ וְתִיקְנָהּ – טָמֵא מִדָּרָס, (נִפְסְקָה שְׁנֵי וְתִיקְנָהּ – טְהוֹר מִלְטָמָא מִדָּרָס אֲבָל טָמֵא מִגַּע מִדָּרָס), מֵאִי לֹא – לֹא שֶׁנָּא פְּנִימִית, וְלֹא שֶׁנָּא חֲחִיצוֹנָה?

The Gemara asks: Did Rabbi Yohanan in fact say that the *halakha* is in accordance with Rabbi Yehuda, who says that if the outer strap broke the sandal becomes pure? Didn't Rabbi Yohanan say: The *halakha* is in accordance with an unattributed mishna? And we learned in a mishna: A sandal that became ritually impure with impurity imparted by the treading of a *zav*, and one of its ears broke and he repaired it,^h this sandal is still impure with ritual impurity imparted by treading,ⁿ since a broken ear does not render the sandal useless and it remains a utensil. If the second ear broke and he repaired it, it is ritually pure in the sense that it no longer renders other objects ritually impure in the same way a vessel that became a primary source of ritual impurity by means of impurity imparted by treading does, since when both ears tear it is no longer a utensil. However, it is itself ritually impure with ritual impurity imparted by treading due to contact with a vessel that is impure, i.e., contact with itself. Since the sandal now has only one torn ear, it is still considered a utensil which is capable of contracting impurity, and it is as if it contracted impurity from itself in its previous state. Is this statement not an indication that there is no difference whether it was the inner strap or the outer strap that broke, as no single ear that breaks terminates the sandal's use? This contradicts Rabbi Yohanan's statement.

לֹא, פְּנִימִית דּוֹקָא. אֲבָל חֲחִיצוֹנָה מֵאִי – טְהוֹר? אִי הִכִּי, אֲדַתְנִי נִפְסְקָה שְׁנֵי וְתִיקְנָה טְהוֹר מִן הַמִּדָּרָס אֲבָל טָמֵא מִגַּע מִדָּרָס מִפְּלוֹג בְּדִידָה; בְּמָה דְּבָרִים אָמַרִים – שֶׁנִּפְסְקָה פְּנִימִית, אֲבָל חֲחִיצוֹנָה – טְהוֹר! אָמַר רַב יִצְחָק בֶּן יוֹסֵף: תִּהְיֶה מְשֻׁנָּתוֹ בְּסָנְדָּל שֶׁיֵּשׁ לוֹ אַרְבַּע אֲזִנִּים וְאַרְבַּע תְּרַסְיוֹתַיִם, שְׁלֵא לְשַׁבּוֹר דְּבָרָיו שֶׁל רַבִּי יוֹחָנָן.

The Gemara rejects this: No, this mishna is referring specifically to the inner strap. When the inner strap breaks, even Rabbi Yehuda concedes that the sandal remains ritually impure. The Gemara asks: However, if the outer strap breaks, what is the *halakha*? Is it that the sandal is pure? If so, instead of teaching: If the second ear broke and he repaired it, it is ritually pure in the sense that it no longer renders other objects ritually impure as a vessel that became a primary source of ritual impurity by means of impurity imparted by treading; however, it is itself ritually impure due to contact with a vessel that is impure due to contact with an object that became ritually impure with impurity imparted by treading, let him make a distinction within the case itself: In what case was this statement said? In a case where the inner strap breaks. However, if the outer strap breaks, the sandal becomes ritually pure. Rav Yitzhak ben Yosef said: Let our mishna be interpreted as referring to a sandal that has four ears and four straps, and it can be explained that when it says that the second one broke, it was referring to the second outer one. It is worthwhile to interpret it this way so as not to break, i.e., contradict, Rabbi Yohanan's statement.ⁿ

BACKGROUND

Jug – **אָד**: Jugs were generally made from whole hides taken from different types of animals. These jugs were used for many purposes, and were especially useful for carrying objects and food items. When the jug was used for liquids, such as water, wine or oil, care was taken to remove the animal's hide intact, and they would not remove the hide of the legs. A spout, usually fashioned from a hollow reed tube, was inserted into one of the legs. This type of jug had only one spout, or ear, in the language of the Talmud. However, if an opening was created where the hide of the leg had been, it becomes a jug with two spouts.



Leather jug

Perek XV

Daf 113 Amud a

HALAKHA

A bucket with a belt – **דְּלִי בַּפֶּסְקָיָא**: On Shabbat, one may tie a belt to a bucket that is permanently attached to a well. It is certainly a temporary knot, because one will untie the belt after Shabbat to use it to secure a garment, which is not the case with a rope. One may tie even a rope to a bucket that is not permanently attached to a well, in accordance with the mishna and the interpretation of *Tosafot* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:3; *Shulḥan Arukh*, *Orah Ḥayyim* 317:4).

NOTES

Rabbi Yehuda stated a principle – **כָּל אֲמֵר רַבִּי** – **יְהוּדָה**: *Tosafot* comment on the difficulty that arises from the proximity between Rabbi Yehuda's principle and his previous statement. The Ritva explains that Rabbi Yehuda's previous statement relates to the statement of Rabbi Meir in a preceding mishna that one is not liable on Shabbat for tying a knot that can be untied with a single hand. Rabbi Yehuda disputes this assertion and establishes a different criterion to distinguish between a knot that is permitted and a knot that is prohibited on Shabbat.

יְהוּדָה וְיִשְׁמֵן. פְּשִׁיטָא! לֹא צְרִיכָא, דְּאִית לֵיהּ תְּרֵיתִי אוֹנִי. מַהוּ דְּתִימָא: חֲדָא מִיְנֵיהּ בְּטוּלִי מְבִטֵּל לָהּ, קָא מְשַׁמַּע לָן.

”קְדִירָה שֶׁל בֶּשֶׂר.” פְּשִׁיטָא! לֹא צְרִיכָא, דְּאִית לָהּ שְׁלֹאכָא. מַהוּ דְּתִימָא: בְּטוּלִי מְבִטֵּל לָהּ, קָא מְשַׁמַּע לָן.

”רַבִּי אֱלִיעֶזֶר בֶּן יַעֲקֹב אוֹמֵר קוֹשֶׁרָה כּו’.” פְּשִׁיטָא! לֹא צְרִיכָא, דְּאִית לָהּ תְּרֵיתִי אִיסְרִי. מַהוּ דְּתִימָא:

And we learned in the mishna: It is permitted to tie the spouts of wine or oil jugs.⁸ The Gemara says: This is **obvious**. The Gemara explains: It is **only necessary** to teach this *halakha* in a case **where it**, the jug, **has two ears**, i.e., two spouts. **Lest you say: One of them, he voids it consequently defining the knot on that opening permanent and therefore prohibited, it teaches us that this is not the case.**

We also learned in the mishna that it is even permitted to tie a garment to cover a **pot of meat**. The Gemara says: This is **obvious**. The Gemara explains: It is **only necessary** to teach this *halakha* a case **where it has a string** with which one could open a flap and empty the food. **Lest you say that since a single opening usually suffices he voids the knot with which he ties the garment, it teaches us that this is not the case.**

We also learned in the mishna that Rabbi Eliezer ben Ya’akov says: **One may tie a rope across an entrance^h before an animal so that it will not go out**. The Gemara says: This is **obvious**. The Gemara explains: It is **only necessary** to teach this *halakha* in a case **where the entrance has two ropes**. **Lest you say**

HALAKHA

Tying a rope at the entrance – **קִשְׁיֵית חֶבֶל בַּתַּחַם**: One may tie a rope across an entrance before an animal on Shabbat so that it cannot escape. It is also permitted to tie the rope to both sides of an entrance, and there is no concern that one might leave one

of the rope ends tied permanently. This is according to Rabbi Eliezer ben Ya’akov, whose opinions are always adopted as *halakha* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:3; *Shulḥan Arukh*, *Orah Ḥayyim* 317:6).

חֲדָא מִיְנֵיהּ בְּטוּלִי מְבִטֵּל, קָא מְשַׁמַּע לָן. אֲמַר רַב יוֹסֵף אֲמַר רַב יְהוּדָה אֲמַר שְׁמוּאֵל: הֲלָכָה בְּרַבִּי אֱלִיעֶזֶר בֶּן יַעֲקֹב. אֲמַר לֵיהּ אַבְי: הֲלָכָה – מְבִטֵּל דְּפִלְגִי? אֲמַר לֵיהּ: מַאי נִפְקָא לָךְ מִיְנָה? אֲמַר לֵיהּ: גְּמָרָא גְּמוּרָא זְמוּרָתָא תֵּהֵא?!

that **one of the knots one voids**, because he can enable the animal to go out, albeit with difficulty, after untying one knot, therefore, **it teaches us** that both are considered temporary knots, and it is permitted to tie them. Rav Yosef said that Rav Yehuda said that Shmuel said: The *halakha* is in accordance with the opinion of Rabbi Eliezer ben Ya’akov. Abaye said to Rav Yosef: If you rule the *halakha* in accordance with his opinion, does that mean, **by inference**, that the Rabbis **disagree**, or perhaps is there no dispute and everyone accepts the opinion of Rabbi Eliezer ben Ya’akov? Rav Yosef said to him: **What difference is there to you whether or not the Rabbis disagree?** In either case, the *halakha* is in accordance with the opinion of Rabbi Eliezer ben Ya’akov. Abaye answered Rav Yosef using a folk expression: Is it simply **learn the lesson**, let it be like a song? In other words, is it sufficient to simply parrot the halakhic ruling? Rather, it is necessary to examine the issue to understand it, even if it does not yield a practical halakhic difference.

MISHNA One may tie a bucket with a belt^h on Shabbat, as he will certainly not leave it tied to the bucket, and therefore it is not a permanent knot. **But one may not tie a bucket with a rope**. Rabbi Yehuda permits doing so. Rabbi Yehuda stated a principle:ⁿ With regard to any knot that is not permanent, one is not liable for tying it.

GEMARA We learned in the mishna that according to the first *tanna*, it is prohibited to tie a rope to a bucket on Shabbat, and Rabbi Yehuda permits doing so. The Gemara asks: **A rope of what kind?** If you say it is referring to a **standard rope**, does Rabbi Yehuda permit doing so? **It is a permanent knot**. Rather, it is referring to a **weaver’s rope**; since the weaver needs it for his work, he will untie it after Shabbat. The Gemara asks: **Is that to say that the Rabbis hold that we issue a decree prohibiting a weaver’s rope due to a standard rope, and Rabbi Yehuda holds that we do not issue a decree?**

מַתְנִי קוֹשְׁרִין דְּלִי בַּפֶּסְקָיָא, אֲבָל לֹא בַּחֲבֵל רַבִּי יְהוּדָה מַתִּיר. כָּל אֲמֵר רַבִּי יְהוּדָה: כָּל קֶשֶׁר שְׂאִינוּ שֶׁל קִיּוּמָא – אִין חֲיִיבִין עָלֵין.

גַּמְ' חֲבֵל דְּמַאי? אִי לִימָא חֲבֵל דְּעֵלְמָא – רַבִּי יְהוּדָה מַתִּיר! קֶשֶׁר שֶׁל קִיּוּמָא הוּא! אֲלֵא חֲבֵל דְּגִרְדִּי לְמִימְרָא, דְּרַבְּנָן סִבְרִי: גְּזוּרִין חֲבֵל דְּגִרְדִּי אִשּׁוּ חֲבֵל דְּעֵלְמָא, וְרַבִּי יְהוּדָה סִבְרִי: לֹא גְזוּרִין?

A bow and a knot – עניבה וקשריה: A bow is not considered a knot and may be tied on Shabbat, in accordance with the opinion of the Rabbis (Rambam *Sefer Zemanim, Hilkhos Shabbat* 10:5; *Shulhan Arukh, Orah Hayyim* 317:5).

A person may bring a rope...to a cow and to a trough – מביא אדם חבל...בפירה ובאיבוס: One may take a weaver's rope from his home on Shabbat and tie one end to a cow and the other end to a trough. Since one will ultimately untie the knot, it is not considered permanent. A standard rope may not be used, unless it was already tied to either the cow or the trough (Rambam *Sefer Zemanim, Hilkhos Shabbat* 10:3; *Shulhan Arukh, Orah Hayyim* 317:7).

An upper beam and a lower beam – עליון ותחתון: The upper and lower beams of a weaver's loom may not be moved on Shabbat because they are fixed in their place and are not usually moved, in accordance with the opinion of Rabbi Yehuda bar Liva'i (Rambam *Sefer Zemanim, Hilkhos Shabbat* 26:1).

But not the posts – אביל לא את העמודים: One may not move the posts that support the loom's frame on Shabbat, because one will come to fill the holes in the ground when the posts are removed, in accordance with the opinion of Rabbi Nahman (Rambam *Sefer Zemanim, Hilkhos Shabbat* 26:1).

NOTES

Yes and no – אין ולא: Elsewhere, Rashi explains that sometimes Rabbi Yehuda answered this question in the affirmative and sometimes in the negative, without ever giving a clear answer.

One who stores a turnip...if some of its leaves were exposed – הטומן לפת...אם מקצת עליו מגולין: Some commentaries question this version of the text, that some of the turnip's leaves were exposed. Their alternative text reads: Part of the top was exposed. This generally accepted interpretation means that the top of the turnip or the radish was exposed. They added that if one wants to conceal a vegetable so it does not rot, one must cut its leaves; otherwise, it will wilt quickly (*Tosefot Rid*).

Nor due to the Sabbatical Year – משום שביעית ולא: Some commentaries explain that if these vegetables were grown during the sixth year of the Sabbatical Year cycle and were concealed during the Sabbatical Year, there is no cause for concern that perhaps they grew somewhat in the ground and that addition is prohibited as produce of the Sabbatical Year. The same can be said with regard to tithing, i.e., the concern is that perhaps the buried vegetables grew somewhat while concealed (Rabbi Shimshon of Saens).

ורמינהו: חבל דלי שנפסק – לא יהא קושרו אלא עונבו, ורבי יהודה אומר: בדרך עליו פונדא או פסקיא, ובלבד שלא יענבנו.

קשיא דרבי יהודה אדרבי יהודה, קשיא דרבנן אדרבנן!

דרבנן אדרבנן לא קשיא: חבל בחבל – מיחלף, עניבה בקשריה – לא מיחלף. דרבי יהודה אדרבי יהודה לא קשיא: ה"מ – לא משום דמיחלף עניבה בקשריה, אלא: עניבה גופה קשריה היא.

אמר רבי אבא אמר רב חייא בר אשי אמר רב: מביא אדם חבל מתוך ביתו, וקושרו בפירה ובאיבוס. אייתיביה רבי אחא אריקא דהוא רבי אחא בר פפא לרבי אבא: חבל שבאיבוס קושרו בפירה, ושפירה קושרו באיבוס, ובלבד שלא יביא חבל מתוך ביתו ויקושרו בפירה ובאיבוס! ה"מ חבל דעלמא, הכא – חבל דגדי.

אמר רב יהודה אמר שמואל: בלי קיואי מותר לטלטלן בשבת. בעו מיניה מרב יהודה: בוכד העליון וכובר התחתון מהו: אין ולא ורפאי בידיה. איתמר, אמר רב נחמן אמר שמואל: בלי קיואי מותר לטלטלן בשבת, אפילו בוכד העליון וכובר התחתון, אבל לא את העמודים.

אמר ליה רבא לרב נחמן: מאי שנא עמודים דלא? אילימא דקעביד גומות – גומות ממילא קא הויין! דתנן: הטומן לפת וצננות תחת הגפן, אם מקצת עליו מגולין – אינו חושש לא משום בלאים ולא משום שביעית, ולא משום מעשר, ומטילין בשבת!

The Gemara raises a contradiction from that which was taught in a *baraita*: With regard to the rope of a bucket that was severed on Shabbat, one may not tie it with a regular knot; rather, he may tie a bow. And Rabbi Yehuda says: One may wrap a hollow belt around it or a sash as long as he does not tie it into a bow.

This is difficult, as there is a contradiction between one statement of Rabbi Yehuda and another statement of Rabbi Yehuda, as in the *baraita* he issued a decree prohibiting tying a bow due to tying a knot, and in the mishna he issued no decree. And this is also difficult, as there is a contradiction between one statement of the Rabbis and another statement of the Rabbis, as in the *baraita* they do not issue a decree and in the mishna they do issue a decree.

The Gemara responds: The contradiction between one statement of the Rabbis and the other statement of the Rabbis is not difficult, as they are of the opinion that a rope may be confused with another rope. Therefore, the Rabbis issued a decree prohibiting a weaver's rope, because if it were permitted one might mistakenly come to tie a standard rope. However, a bow is not confused with a knot,^h and therefore they did not issue a decree prohibiting a bow. The contradiction between one statement of Rabbi Yehuda and the other statement of Rabbi Yehuda is not difficult, as there, where he prohibited tying a bow, it is not because a bow may be confused with a knot, but because, in his opinion, a bow itself is a full-fledged knot and is not prohibited due to a decree.

Rabbi Abba said that Rav Hiyya bar Ashi said that Rav said: A person may bring a rope from inside his house on Shabbat and tie one end of it to a cow and the other end to a trough.^h That is not considered a permanent knot, because he will certainly untie the rope. Rabbi Aha Arikha, who was nicknamed Rabbi Aha the Long, due to his height, who is also called Rabbi Aha bar Pappa, raised an objection to Rabbi Abba from the *baraita*: With regard to a rope that is tied to the trough, one may tie it to a cow, and a rope that is tied to the cow one may tie it to a trough, provided that one does not bring a rope from inside his house and tie it to the cow and to the trough. The Gemara answers: There, where they permitted it, it is referring to a weaver's rope, which will certainly be untied.

Rav Yehuda said that Shmuel said: A weaver's tools may be moved on Shabbat. They raised a dilemma before Rav Yehuda: What is the ruling with regard to the upper beam and the lower beam of the weaver's loom? Does this leniency apply to them? Rav Yehuda did not provide a clear answer. He said: Yes and no,ⁿ and the matter was uncertain to him. It was stated: Rav Nahman said that Shmuel said: A weaver's tools may be moved on Shabbat, even the upper beam and the lower beam,^h but not the posts.^h

Rava said to Rav Nahman: What is different about the posts that one may not carry them? If we say it is because one makes holes when removing the post from the ground, holes come into being on their own and that is not prohibited, as we learned in a mishna: With regard to one who stores a turnip or radish in the ground beneath a vine for safekeeping, if some of its leaves were exposed,ⁿ making it possible to grab the turnip or the radish and pull it out of the ground, he need not be concerned, neither due to diverse kinds, i.e., that he violated the prohibition of planting food crops in a vineyard, as there was no intent to plant them, nor due to concern that he violated the prohibition against working the land during the Sabbatical Year,ⁿ nor due to tithes, i.e., that it would be considered as if he picked it from the ground and would be obligated to tithe it, and they may be taken from the ground on Shabbat. Apparently, the Rabbis do not prohibit doing so due to concern that one will thereby create a hole.



Loom with the horizontal upper and lower beams as well as the side beams visible

HALAKHA

One may fold the garments, etc. – מקפלין את הכלים – **וכי**: It is permitted to fold garments on Shabbat if all of the following conditions are met: The clothing will be worn on Shabbat, one person folds it, the clothing is new and not previously laundered, the clothing is white and not colored, and the person has no other clothing to wear. If even one of these conditions is not met, it is prohibited to fold the clothing. The *Mordekhai* ruled that it is permitted to fold clothes in a manner that is different from the way they are typically folded. Later authorities agree with the *Mordekhai* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:22; *Shulḥan Arukh*, *Orah Ḥayyim* 302:3).

And one may make the beds – ומציעין את המטות – One may make a bed on Shabbat evening for use on Shabbat day, but one may not do so on Shabbat for use after Shabbat (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:7).

Wearing different clothes on Shabbat – שינוי בגדים – **לשבת**: It is appropriate for one to have special clothing for Shabbat. If one does not have Shabbat clothes, then one should wear his garment differently in deference to Shabbat (Rambam *Sefer HaMadda*, *Hilkhot Deot* 5:9; *Shulḥan Arukh*, *Orah Ḥayyim* 262:2).

Weekday matters on Shabbat – עניני חול בשבת – On Shabbat, it is prohibited to discuss weekday matters or prohibited activities. It is permitted to discuss these matters if they relate to mitzvot (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 24:1, 5; *Shulḥan Arukh*, *Orah Ḥayyim* 306:1, 6).

NOTES

Work that includes preparation for the conclusion of Shabbat – עבודה שיש בה הכנה למוצאי שבת – To preserve the sanctity of Shabbat, the Sages prohibited actions performed on Shabbat in preparation for after Shabbat, although the acts themselves are not prohibited labors. This prohibition includes making beds and washing dishes and utensils.

בשדה לא אתי לאשווי גומות, הלא בבית – אתי לאשווי גומות. בעא מיניה רבי יוחנן מרבי יהודה בר ליואי: כלי קיואי, כגון בוכד העליון וכוכד התחתון, מהו לטלטלן בשבת? אמר ליה: אין מטלטלין. מה טעם? לפי שאין ניטלין.

מתני' מקפלין את הכלים אפילו ארבעה וחמשה פעמים. ומציעין את המטות מלילי שבת לשבת, אבל לא משבת למוצאי שבת. רבי ישמעאל אומר: מקפלין את הכלים, ומציעין את המטות מיום הכיפורים לשבת, וחלבי שבת קריבין ביום הכיפורים, אבל לא של יום הכיפורים בשבת. רבי עקיבא אומר: לא של שבת קריבין ביום הכיפורים, ולא של יום הכיפורים קריבין בשבת.

גמ' אמרי דבי רבי ינאי: לא שנו אלא באדם אחד, אבל בשני בני אדם – לא. ובאדם אחד נמי – לא. אמרו אלא בחדשים, אבל בישינים – לא. וחדשים נמי לא אמרו אלא בלבנים, אבל בצבועים – לא. ולא אמרו אלא שאין לו להחליף, אבל יש לו להחליף – לא.

תנא: של בית רבן גמליאל לא היו מקפלים כלי לבן שלהן מפני שהיה להן להחליף. אמר רב הונא: אם יש לו להחליף – יחליף, ואם אין לו להחליף – ישלשל בבגדיו. מתקיף לה רב ספרא: והא מיתחזי כרמות רוחא! כיון דכל יומא לא קעביד, והאידינא הוא דקא עביד – לא מיתחזי כרמות רוחא.

"וכבדתו מעשות דרכיך" – **"וכבדתו"** – שלא יהא מלבושך של שבת כמלבושך של חול. וכי הא דרבי יוחנן קרי למאניה "מכבדותי" – **"מעשות דרכיך"** – שלא יהא הילוכך של שבת כהילוכך של חול. ממצוא חפצך – חפצך אסורין, חפצי שמים מותרין. **"ודבר דבר"** –

Rav Nahman answered him: The cases are not comparable. In a field one will not come to fill holes; however, here, where the holes are created in the house, the concern is that one may come to smooth out the holes. Therefore, the Rabbis prohibited it. Rabbi Yohanan raised a dilemma before Rabbi Yehuda bar Liva'ei: With regard to weaver's tools, such as the upper beam and the lower beam of the loom,^b what is the ruling in terms of carrying them on Shabbat? Rabbi Yehuda said to him: One may not carry them. Rabbi Yohanan asked him: What is the reason for this? Rabbi Yehuda bar Liva'ei answered: Because they are not usually carried even during the week, as they are extremely heavy and are considered fixed in place. Therefore, the Sages prohibited carrying them on Shabbat.

MISHNA One may fold the garments^h after removing them even four or five times, and one may make the beds^h from Shabbat evening in preparation for Shabbat day, but not from Shabbat in preparation for the conclusion of Shabbat,ⁿ since one may not perform an action on Shabbat that is preparation for a week-day. Rabbi Yishmael says: One may fold the garments and make the beds from Yom Kippur in preparation for Shabbat if Yom Kippur occurs on Friday. And the fats of the offerings that were sacrificed on Shabbat are offered on Yom Kippur, but not those of Yom Kippur on Shabbat, because the sanctity of Shabbat is greater than the sanctity of Yom Kippur. Rabbi Akiva says: Neither are the fats of the offerings sacrificed on Shabbat offered on Yom Kippur, nor are those of Yom Kippur offered on Shabbat.

GEMARA The Sages in the school of Rabbi Yanai said: They only taught that it is permitted when one person is folding the garments alone on Shabbat; however, when two people are folding the garments together, no, they may not do so, because when two people fold garments it is tantamount to repairing the garment. And with regard to when a single person is folding the garments, we only said it is permitted when he is folding a new garment, which is suitable to be worn even if it were not folded; however, with regard to old garments, no, he may not do so. And with regard to new garments, we only said that one may fold the garments when they are white; however, when they are colored, no, one may not do so. And with regard to white garments, we only said it is permitted to fold them on Shabbat when one does not have garments into which one could change; however, if one has other garments into which he could change, he may not fold them.

And it was taught in the *Tosefta*: The members of Rabban Gamliel's household did not even fold their white garments because they had others into which they could change. Rav Huna said: If one has new garments into which he could change on Shabbat, he will change into those garments; and if one does not have garments into which he could change, he lets his garments hang down before Shabbat to beautify himself in deference to Shabbat as it used to be the custom of wealthy people to wear their clothes loosely. Rav Safra strongly objects to this: Doesn't this appear as haughtiness? The Gemara answers: Since every day he does not do so, and now in honor of Shabbat he is doing so, it does not appear as haughtiness. Rather it is apparent that he is acting in deference to Shabbat.

On a related note, the Gemara cites what we learned with regard to the following passage: "If you keep your feet from breaking, from pursuing your affairs on My holy day, and you call Shabbat a delight, the Lord's holy day honorable, and you honor it by not going your own way, from attending to your affairs and speaking idle words" (Isaiah 58:13). The Rabbis derived from the words "and you honor it" that your dress on Shabbat should not be like your dress during the week,^h as Rabbi Yohanan would refer to his clothing as my honor, indicating that appropriate clothing is a form of deference. The words "going your own way" mean that your walking on Shabbat should not be like your walking during the week. "From attending to your affairs" means it is prohibited to deal with your weekday affairs and to speak about them on Shabbat.^h However, affairs of Heaven, i.e., those pertaining to mitzvot, are permitted. "And speaking idle words"

שְׁלֹא יִהְיֶה דְּבוּרָךְ שֶׁל שַׁבָּת כְּדְּבוּרָךְ שֶׁל חוֹל. דְּבוּר – אָסוּר, הִרְהוּר – מוֹתֵר. בְּשִׁלְמָא כּוּלְהוּ – לְחַיִּי, אֱלָא “שְׁלֹא יִהְיֶה הִילּוּכְךָ שֶׁל שַׁבָּת כְּהִילּוּכְךָ שֶׁל חוֹל” מֵאִי הֵיכָּל כִּי הָא דְּאָמַר רַב הוּנָא אָמַר רַב, וְאָמַר לִיה אָמַר רַבִּי אָבָא אָמַר רַב הוּנָא: הִיךְ מְהֵלֵךְ בְּשַׁבָּת וּפָנַע בְּאַמְתַּת הַמַּיִם, אִם יָכוֹל לְהַנִּיחַ אֶת רַגְלוֹ רְאוּשׁוֹנָה קוֹדֵם שֶׁתַּעֲקֹר שְׂנִיָּה – מוֹתֵר, וְאִם לֹא – אָסוּר.

מִתְקִיף לָהּ רַבָּא: הֵיכִי לִיעֲבִיד? לִיקָף – קִמְפִּישׁ בְּהִילּוּכָא, לִיעֲבֹר – וְיִמְנֵן דְּמִיתוּסָן מֵאִי מֵיָא, וְאֵתִי לִידֵי סְחִיטָה! אֱלָא: בְּהָא כִּיּוֹן דְּלֹא אִפְשָׁר שְׁפִיר דְּמִי אֱלָא כְּדָבָעָא מִינֵיהּ רַבִּי מְרַבִּי יִשְׁמַעְלָא בְּרַבִּי יוֹסִי: מַהוּ לְפָסוּעַ פְּסִיעָה גָּסָה בְּשַׁבָּת? אָמַר לִיה: וְכִי בַּחוּל מִי הוֹתֵרָה? שְׁאֵנִי אוֹמַר: פְּסִיעָה גָּסָה נוֹטֶלֶת אֶחָד מִחֲמַשׁ מֵאוֹת מִמָּאוֹר עֵינָיו שֶׁל אָדָם. וּמֵהָדֵר לִיה בְּקִידוּשָׁא דְּרַבִּי שְׁמַשִּׁי.

בָּעָא מִינֵיהּ רַבִּי מְרַבִּי יִשְׁמַעְלָא בְּרַבִּי יוֹסִי: מַהוּ לְאָכּוֹל אֲדָמָה בְּשַׁבָּת? אָמַר לִיה: וְכִי בַּחוּל מִי הוֹתֵרָה? שְׁאֵנִי אוֹמַר: אֵף בַּחוּל אָסוּר, מִפְּנֵי שְׁהוּא מְלָקָה. אָמַר רַבִּי אֲמִי: כֹּל הָאוֹכֵל מִעֲפָרָה שֶׁל בָּבֶל – כְּאִילוֹ אוֹכֵל מִבְּשָׂר אֲבוֹתָיו, וְיִשׁ אוֹמְרִים: כְּאִילוֹ אוֹכֵל שְׂקָצִים וְרִמָּשִׁים, דְּכֹתִיב: “וַיִּמַּח אֶת כָּל הַיָּקוֹם וְגו’.”

means that your speech on Shabbatⁿ should not be like your speech during the week,^h i.e., one should not discuss his weekday affairs on Shabbat. However, it is only speech that they said is prohibited, whereas merely contemplating weekday affairs is permitted.^h The Gemara asks: Granted, all of these directives, fine, they are understood. However, what is the meaning of the following phrase: That your walking on Shabbat should not be like your walking during the week? The Gemara answers: It is in accordance with that which Rav Huna said that Rav said, and some say that Rabbi Abba said that Rav Huna said: If one were walking on Shabbat and came upon a stream of water and had to cross it, if the stream is narrow and one could place his first foot down on the other side before raising the second one, it is permitted to cross it; and if it is not possible and one must jump to cross it, it is prohibited. That is the type of walking that is not permitted on Shabbat.

Rava strongly objects to this: Since we have said that one’s walking on Shabbat should not be like his walking during the week, and jumping constitutes prohibited walking, if one encounters a stream on Shabbat, what should he do to cross to the other side? If he circumvents the stream, he is increasing the distance that he is walking and exerting extra effort on Shabbat. If he walks through the water, sometimes his clothes will absorb water and he will come to wring them out. What then should he do? Rather, in this case, since it is not possible to cross any other way, he may well cross it, i.e., it is permitted for him to jump over the stream.^h Therefore, rather say that walking that is defined as characteristic of weekday walking involves taking large steps. As Rabbi Yehuda HaNasi raised a dilemma before Rabbi Yishmael, son of Rabbi Yosei: What is the ruling with regard to taking large steps on Shabbat?^h That is what the Gemara meant when it used the phrase: Your walking during the week. Rabbi Yishmael said to him: And during the week are large steps permitted?^h As I say: A large stepⁿ takes away one five-hundredth of a person’s eyesight. The Gemara comments: And his eyesight is restored to him during kiddush on Shabbat evening.

And Rabbi Yehuda HaNasi raised a dilemma before Rabbi Yishmael, son of Rabbi Yosei: What is the ruling with regard to eating earth^b for medicinal purposes on Shabbat? Rabbi Yishmael said to him: And during the week is it permitted to eat soil? As I say: Even during the week it is prohibited because it is harmful. Rabbi Ami said: Anyone who eats the dust of Babylonia, it is as if he is eating the flesh of his ancestors buried there. And some say: It is as if he eats abominations and creeping creatures, as it is written: “And He wiped out all that existed on the face of the earth, from humans to animals, to creeping creatures to the birds in the sky, and they were wiped off the land” (Genesis 7:23).

HALAKHA

Your speech on Shabbat should not be like your speech during the week : שְׁלֹא יִהְיֶה דְּבוּרָךְ שֶׁל שַׁבָּת כְּדְּבוּרָךְ שֶׁל חוֹל – On Shabbat, it is inappropriate to speak in detail about matters unrelated to mitzvot. Indeed, speaking about one’s business is prohibited. Mundane speech that gives one pleasure is permitted on Shabbat (*Terumat HaDeshen*). Nevertheless, even that speech should be limited on Shabbat (*Mishna Berura*). It is prohibited to speak about matters that cause one pain on Shabbat (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 24:4; *Shulhan Arukh*, *Orah Hayyim* 307:1).

Speech and contemplation – דִּיבּוּר וְהִרְהוּר : Although it is prohibited to speak about certain matters on Shabbat, there is no prohibition against contemplating weekday matters. However, in the interest of experiencing a pleasurable Shabbat, it is fitting to be stringent and avoid thinking about weekday matters as well (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 24:1; *Shulhan Arukh*, *Orah Hayyim* 306:8).

Crossing a water stream – מַעֲבִיר בְּאַמְתַּת מַיִם : If one must cross a stream on Shabbat, it is preferable to jump across it rather than exert oneself by circumventing the body of water. One should not wade through the stream, so as to avoid soaking his clothes, which could lead to wringing the water from them, in accordance with Rava’s opinion (*Shulhan Arukh*, *Orah Hayyim* 301:3).

Large steps on Shabbat – פְּסִיעָה גָּסָה בְּשַׁבָּת : One may not take large steps on Shabbat, i.e., steps each longer than a cubit (*Or Zarua*), and one may not run or jump (*Mishna Berura*) unless he is rushing to perform a mitzva. Youngsters who enjoy running are allowed to do so even *ab initio* (*Magen Avraham*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 24:4; *Shulhan Arukh*, *Orah Hayyim* 301:1–2).

Large steps during the week – פְּסִיעָה גָּסָה בַּחוּל : One should avoid taking large steps even during the week because it is harmful to one’s health (*Shulhan Arukh*, *Orah Hayyim* 301:1 in *Magen Avraham*).

NOTES

Your speech on Shabbat – דְּבוּרָךְ שֶׁל שַׁבָּת : A midrash is cited in *Tosafot* that is also cited in the Jerusalem Talmud. It states that the Sages prohibited speaking excessively on Shabbat. Some commentaries wrote that people should not exert themselves on Shabbat, even to discuss Torah matters. In *Adderet Eliyahu* it is suggested that the Gemara means to say that one should not speak in languages other than Hebrew. This custom was observed by many over the generations.

A large step [*pesia gassa*] – פְּסִיעָה גָּסָה : The Hebrew word *gassa*, which means large in this context, literally means crass. People who take large steps on Shabbat create the impression that they are rushing to their business, which is obviously inappropriate on Shabbat. Consequently, the phrase *pesia gassa* literally means a crass step. The Gemara states that taking large steps detracts from one’s vision. Some commentaries interpret the idea of one’s vision returning to him at *kiddush* to mean that resting on Shabbat heals that which was damaged during the week’s exertions.

BACKGROUND

Eating earth – אֲכִילַת אֲדָמָה : Certain types of soil, e.g., soil that contains aluminum silicate, were used effectively as medicines to treat digestive problems related to excess acid.

שִׁקְצִים שֶׁנִּתְמַחוּ – Creeping creatures that decomposed – There is a halakhic principle that a prohibited object or creature whose original form has been completely destroyed or altered is no longer prohibited. Therefore, the Gemara's statement about corpses and abominations in Babylonia was only stated metaphorically to underscore that one should not eat Babylonian soil for other reasons.

To cling [*lidabek*] to women – לְדַבֵּק עִם הַנָּשִׁים: A variant reading of this text reads *ledaber*, to speak, and not *lida-bek*, to cling. Nevertheless, since Boaz used the specific phrase: "Cling to my maidens" (Ruth 2:8), he was alluding to the fact that it was permitted and appropriate to cling to Ruth (Maharsha).

BACKGROUND

Vegetation in one's intestines – צִמְחִים בְּמֵעֵים: In certain cases of intestinal blockage, pieces of vegetables that had become concretions in the intestines were found during surgery. These concretions may create masses that block the digestive tract. The scientific term for such a mass is *phytobezoar*.

אָמַר רִישׁ לָקִישׁ: לָמָּה נִקְרָא שְׂמָה "שִׁנְעָר" – שָׂכַל מִתִּי מִבּוֹל נִנְעָרוּ לְשָׁם. אָמַר רַבִּי יוֹחָנָן: לָמָּה נִקְרָא שְׂמָה "מִצְוֵלָה" – שָׂכַל מִתִּי מִבּוֹל נִצְטָלְלוּ לְשָׁם. "וַיֵּשׁ אוֹמְרִים בְּאֵילוּ אוֹכְלִי שִׁקְצִים וּרְמָשִׁים" וְהָאִי וְדָאִי אֵיתְמַחוּ וַיֵּשׁ אֵיתְמַחוּ! אֲמַרִּי: בֵּינוֹן דְּמַלְקִי גִזְרוּ בֵּיהּ רַבָּנִן; דְּהָא הֵהוּא גִבְרָא דְאָכַל גְּרִישָׁתָא, וְאָכַל תַּחְלִי, וְקִדְחוּ לִיהּ תַּחְלִי בְּלִבֵּיהּ וּמֵיתָ.

"וּרְחַצְתָּ וְסָכַת וּשְׁמַת שְׂמִלְתִּיךָ" אָמַר רַבִּי אֱלֵעָזָר: אֵילוּ בְּגָדִים שֶׁל שַׁבָּת. "תֵּן לְחֶכֶם וַיְחַכֵּם עוֹד" אָמַר רַבִּי אֱלֵעָזָר: זוֹ רוּת הַמּוֹאבִּיָּה וְשְׂמוּאֵל הַרַמְתִּי.

רוּת – דְּאֵילוּ נַעֲמִי קְאָמְרָהּ לָהּ: "וּרְחַצְתָּ וְסָכַת וּשְׁמַת שְׂמִלְתִּיךָ עָלֶיךָ וַיְרִדְתָּ הַגֶּרֶן," וְאֵילוּ בְּדִידָה כְּתִיב: "וַתֵּרֶד הַגֶּרֶן" וְהָדָר: "וַתַּעַשׂ כְּכָל אֲשֶׁר צִוְּתָהּ חֲמוּצָה." שְׂמוּאֵל, דְּאֵילוּ עָלֶי קְאָמַר לִיהּ: "שָׁכַב וְהָיָה אִם יִקְרָא אֵלֶיךָ וְאָמַרְתָּ דְּבַר ה' כִּי שׁוֹמֵעַ עֲבָדְךָ" וְאֵילוּ בְּדִידָה כְּתִיב בֵּיהּ: "וַיִּבֹא ה' וַיִּתְּצֵב וַיִּקְרָא כָּפֶעַם בְּפֶעַם שְׂמוּאֵל שְׂמוּאֵל וַיֹּאמֶר שְׂמוּאֵל דְּבַר כִּי שׁוֹמֵעַ עֲבָדְךָ" וְלֹא אָמַר "דְּבַר ה'".

"וַתֵּלֶךְ וַתָּבֹא וַתִּלְקֹט בַּשָּׂדֶה." אָמַר רַבִּי אֱלֵעָזָר: שֶׁהָלָכָה וּבָאָתָּה, הָלָכָה וּבָאָתָּה, עַד שֶׁמָּצְאָהּ בְּנִי אָדָם הַמְּהוּנָן לִילָךְ עִמָּהֶם. "וַיֹּאמֶר בּוֹעֵז לְנַעֲרוֹ הִנָּצֵב עַל הַקּוֹצִים לְמִי הִנָּעֶרָה הַזֹּאת," וְכִי דָּרְבּוּ שֶׁל בּוֹעֵז לְשֹׂאוֹל בְּנַעֲרָה? אָמַר רַבִּי אֱלֵעָזָר: דְּבַר חֲכָמָה רָאָה בָּהּ, שֶׁנִּי שְׁבָלִין – לְקֻטָּה, שְׁלִשָּׁה שְׁבָלִין – אֵינָה לְקֻטָּה.

בְּמִתְנִיתָא תֵּנָּא: דְּבַר צְנִיעוּת רָאָה בָּהּ, עוֹמְדוֹת – מְעוּמָד, נּוֹפְלוֹת – מְיוֹשָׁב. "וְכִי תִדְבָּקִין עִם נַעֲרֹתֵי" וְכִי דָּרְבּוּ שֶׁל בּוֹעֵז לְדַבֵּק עִם הַנָּשִׁים? אָמַר רַבִּי אֱלֵעָזָר: בֵּינוֹן דְּחֹזָא "וַתִּשָּׁק עֶרְפָּה לְחֻמּוֹתָהּ וְרוּת דְּבָקָה בָּהּ" אָמַר: שְׂרִי לְאִידִבּוּקִי בָּהּ.

Apropos dead residue in the ground, Reish Lakish said: Why is Babylonia called Shinar? It is because all those who died in the Flood were deposited there [*ninaru lesham*]. Rabbi Yohanan said: Why is Babylonia called Metzula? It is because all those who died in the Flood sank there [*nitztaletu lesham*]. The Gemara asks: We said that some say that if one eats dirt from Babylonia, it is as if he eats abominations and creeping creatures. However, certainly their bodies have putrefied and decomposed,^N and therefore they are no longer prohibited. Rather, since soil is harmful, the Sages issued a decree not to eat it. The decree was not issued due to the prohibition of eating creeping creatures; rather, it was issued because a certain person ate soil for medicinal purposes and also ate cress. The cress took root in the soil that was inside him and began to grow. And the cress punctured his heart and he died.^B

The Gemara continues to discuss Shabbat. Naomi advised Ruth: "And you shall bathe, and anoint yourself, and put on your robes, and go down to the threshing floor. Do not make yourself known to the man until he has finished eating and drinking" (Ruth 3:3). Rabbi Elazar said: These robes are Shabbat garments that Naomi told her to wear in honor of the occasion. Apropos the book of Ruth, the Gemara cites additional statements of Rabbi Elazar with regard to Ruth: "Give to the wise one and he will become wiser; let the righteous one know and he will learn more" (Proverbs 9:9). Rabbi Elazar said: This refers to Ruth the Moabite and Samuel of Rama, who received advice and added to it with their wisdom.

The Gemara elaborates. Whereas Naomi said to Ruth: "And you shall bathe, and anoint yourself, and put on your robes, and go down to the threshing floor," but with regard to Ruth herself it is written, "And she went down to the threshing floor" (Ruth 3:6), and only afterward does it say, "And she did according to all that her mother-in-law commanded her." Ruth decided to anoint herself at the threshing floor and not on the road so that people would not meet her on the way there and suspect her of immorality. Whereas Eli said to Samuel: "Go and lie down and if He calls you, you say: Speak, Lord, for Your servant is listening" (1 Samuel 3:9), but with regard to Samuel himself it is written: "And the Lord came and stood, and He called like He did the other times: Samuel, Samuel. And Samuel said: Speak, for Your servant is listening" (1 Samuel 3:10), and he did not say: Speak, Lord, since he would not assume it was God speaking to him until he was sure of it.

And the verse in Ruth states: "And she went, and she came, and she collected in the field after the harvesters" (Ruth 2:3). Rabbi Elazar said: This verse teaches that she went and came, went and came, until she found suitable people with whom to walk. It also says: "And Boaz said to his youth who was standing over the harvesters: To whom does this young woman belong?" (Ruth 2:5). This is surprising: And was it Boaz's habit to inquire about a young woman? Rabbi Elazar said: He saw in her a matter of wisdom and Torah, and that is why he asked about her. What he saw was that she collected two stalks, but she did not collect three stalks. She thereby acted in accordance with the *halakha* that three stalks lying together are not considered to be gleanings left for the poor; rather, they remain in the possession of the owner of the field.

It was taught in a *baraita*: He saw a matter of modesty in her when she was collecting stalks. She picked stalks that were upright while she was standing, and stalks that had fallen she picked while sitting; due to her modesty she did not bend over to take them. It also says: "And Boaz said to Ruth: Do you hear, my daughter? Do not go to glean in another field and do not leave from here, but cling to my maidens" (Ruth 2:8). This is also surprising. And was it Boaz's habit to cling to women?^N Rabbi Elazar said: Since he saw "And Orpah kissed her mother-in-law and Ruth clung to her" (Ruth 1:14), he said: It is permitted to cling to a woman like this.

Horsekeeper [ahuriyarei] – אהוריריה: From the Iranian compound āwaryār, meaning one who keeps the stable. This lowly position is frequently mentioned in Persian literature.

“וַיֹּאמֶר לָהּ בָּעוּ לֶעֱתָ הָאֵכָל גְּשֵׁי הָלֶם, אָמַר רַבִּי אֶלְעָזָר: רָמֹז רָמֹז לָהּ; עֲתִידָה מַלְכוּת בֵּית דָּוִד לְצֵאת מִמֶּךָ, דְּכֵתִיב בֵּיהּ ‘הָלֶם’, שְׁנָאֵמַר: ‘וַיָּבֵא הַמֶּלֶךְ דָּוִד וַיֵּשֶׁב לִפְנֵי ה’ וַיֹּאמֶר מִי אֲנֹכִי אֲדֹנִי ה’ וּמִי בֵיתִי כִּי הִבֵּאתֶנִּי עַד הָלֶם.” וְטַבְלָת פֶּתַח בַּחֲמִץ, אָמַר רַבִּי אֶלְעָזָר: מִכָּאן שֶׁחֲחֻמֶּץ יִפָּה לְשָׂרֵב.

רַבִּי שְׁמוּאֵל בַּר נַחֲמָנִי אָמַר: רָמֹז רָמֹז לָהּ; עֲתִידָה בֵּן לְצֵאת מִמֶּךָ שְׁמַעְשֵׂיו קָשִׁין בַּחֲמִץ, וּמִנּוּ – מְנַשֶּׁה. וְיִתְשֵׁב מִצַּד הַקּוֹצְרִים, אָמַר רַבִּי אֶלְעָזָר: מִצַּד הַקּוֹצְרִים, וְלֹא בְּתוֹךְ הַקּוֹצְרִים. רָמֹז רָמֹז לָהּ שְׁעֵתִידָה מַלְכוּת בֵּית דָּוִד שֶׁתִּתְחַלֵּק.

“וַיִּצְבֹּט לָהּ קִלְי וַתֹּאכַל” אָמַר רַבִּי אֶלְעָזָר: וַתֹּאכַל – בִּימֵי דָּוִד, וַתִּשְׁבַּע – בִּימֵי שְׁלֹמֹה, וַתִּתֵּר – בִּימֵי חִזְקִיָּה. וְאִפְּכָא דְאַמְרֵי: וַתֹּאכַל – בִּימֵי דָּוִד וּבִימֵי שְׁלֹמֹה, וַתִּשְׁבַּע – בִּימֵי חִזְקִיָּה, וַתִּתֵּר – בִּימֵי רַבִּי. דְּאַמְרֵי מָר: אַהוּרִירְיָה דְּרַבִּי הוּא עֲתִיד מְשֻׁבָּר מִלִּכְּא. בְּמַתְנִיתָא תִּנָּא: וַתֹּאכַל – בְּעוֹלָם הָיָה, וַתִּשְׁבַּע – לִימּוֹת הַמָּשִׁית, וַתִּתֵּר – לְעֵתִיד לָבָא.

“וַתַּחַת כְּבוֹדוֹ יֵקֵד וְיִקּוֹד כִּיקוֹד אֵשׁ.” אָמַר רַבִּי יוֹחָנָן: וַתַּחַת כְּבוֹדוֹ – וְלֹא כְּבוֹדוֹ מִמֶּשׁ. רַבִּי יוֹחָנָן קָרִי לְמֵאִינְיָה מְכַבְּדוֹתֵי.

רַבִּי אֶלְעָזָר אָמַר: וַתַּחַת כְּבוֹדוֹ – תַּחַת כְּבוֹדוֹ מִמֶּשׁ. רַבִּי שְׁמוּאֵל בַּר נַחֲמָנִי אָמַר: תַּחַת כְּבוֹדוֹ – כְּשִׁרִיפַת בְּנֵי אֱהֲרֹן; מַה לְּהֵלֵן – שְׁרִיפַת נְשָׁמָה וְגוֹף קָיָים, אֵף כֵּאֵן – שְׁרִיפַת נְשָׁמָה וְגוֹף קָיָים.

אָמַר רַבִּי אַבְבָּא בַּר אֲבָא אָמַר רַבִּי יוֹחָנָן:

It also says: “And Boaz said to her at mealtime: Come here [*halom*] and eat from the bread and dip your bread in vinegar. And she sat beside the harvesters and he gave her roasted grain and she ate, and she was satiated, and she left some over” (Ruth 2:14). Rabbi Elazar interpreted this and said that he hinted to her prophetically: In the future the kingdom of David will come from you, as it is written with regard to it, i.e., the kingdom of David: “Here,” as it is stated: “And King David came and sat before God and said: Who am I, Lord, God, and who is my family that You have brought me to here [*halom*]?” (II Samuel 7:18). With regard to his saying: “And dip your bread in vinegar” (Ruth 2:14), Rabbi Elazar said: From here we see that vinegar is good to have in hot weather.

Rabbi Shmuel bar Nahmani said that he hinted to her: A son will come from you in the future whose actions will be as sharp as vinegar, and who is he? King Manasseh. “And she sat beside the harvesters.” Rabbi Elazar said with regard to this: Beside the harvesters, and not among the harvesters. He hinted to her that the kingdom of David will be divided in the future and her children will not always be in the center of Israel.

It also says in the verse: “And he gave her roasted grain and she ate, and she was satiated, and she left some over.” The Gemara explains: “And he gave her roasted grain and she ate”; this is also interpreted as a prophetic message. Rabbi Elazar said: “And she ate” was fulfilled by her children’s children in the days of David; “And she was satiated” was fulfilled in the days of Solomon; “And she left some over” was fulfilled in the days of Hezekiah. And some say that there is a different interpretation: “And she ate,” was fulfilled in the days of David and Solomon; “And she was satiated,” was fulfilled in the days of Hezekiah; “And she left some over” was fulfilled in the days of Rabbi Yehuda HaNasi. As the Master said: Rabbi Yehuda HaNasi’s horsekeeper [*ahuriyarei*]¹ was richer than the king of Persia. It was taught in a *baraita*: “And she ate,” in this world; “and she was satiated,” in the days of the Messiah; “and she left some over,” in the future, at the end of days.

It was mentioned earlier that Rabbi Yohanan called his clothing his honor. The Gemara cites the interpretation of the verse that speaks about the downfall of the king of Assyria: “Therefore, the Lord, the Lord of hosts, will send leanness to his fat ones and under his honor He will burn a burning like a burning fire” (Isaiah 10:16). Rabbi Yohanan said: “And under his honor,”ⁿ but not his actual honor. The Gemara explains: Rabbi Yohanan follows his own reasoning, for he called his clothing my honor, which means that the bodies of the king of Assyria’s soldiers were burned. However, their garments were miraculously not burned.

Rabbi Elazar said: “And under his honor” means in place of his actual honor. That is to say, their bodies were burned. Since, in Rabbi Elazar’s opinion, the word under means in the place of, the verse accordingly means that in the place of his honor, i.e., the body, there remain ashes.

Rabbi Shmuel bar Nahmani said: Under his honor means beneath his flesh, similar to the burning of the sons of Aaron. Just as there, i.e., the burning of Aaron’s sons, the soul burned while the body remained intact, so too here, i.e., the burning of Assyrian soldiers, the soul burned while the body remained intact.

Rabbi Abba bar Abba said that Rabbi Yohanan said:

NOTES

And under his honor – וַתַּחַת כְּבוֹדוֹ: The different opinions in this matter depend on the interpretation of the phrase his honor. Rabbi Yohanan interprets honor in this context as honorable clothing. However, other Sages understand honor as referring to the soul that dwells within the body. This connotation appears elsewhere in

the Bible, such as in the verse: “My heart is gladdened and my honor rejoices” (Psalms 16:9). An alternative explanation is that the phrase my honor can be interpreted as referring to the body, similar to: “In their assembly my honor will not join” (Genesis 49:6) and “And my honor will dwell in the dust” (Psalms 7:6; see *Tosefot Rid*).

NOTES

Ravina said a bloodstain [*revad*] – רבינא אָמר רבד – According to the *ge'onim*, a *revav* is a stain that has some kind of fatty texture but is not necessarily actual fat and might come from pitch, wax, or the like. Rashi interprets the word *revad* to mean semen. Nevertheless, even according to the interpretation that *revad* is a bloodstain, it is disgraceful, because it appears like a stain from menstrual blood.

LANGUAGE

Issar – איסר: From the Latin assarius, which is the name of a coin.

BACKGROUND

The *issar* in talmudic times – איסר – מימי התלמוד: The *issar* is a coin of minimal value, worth one-twenty-fourth of a silver dinar. It was generally minted in bronze. Since there are certain differences in size, weight, and value among various *issar* coins, it was sometimes specified as the Italian *issar*, as opposed to the parallel Greek coin.



Two sides of an *issar* from the time of the Talmud

מניין לשנוי בגדים מן התורה, שנאמר: ופשת את בגדיו ולבש בגדים אחרים. ותנא דבי רבי ישמעאל: לימדר תורה דרך ארץ, בגדים שבישיל בהן קדירה לרבו – אל ימווג בהן בוס לרבו.

אמר רבי חייה בר אבא אמר רבי יוחנן: גנאי הוא לתלמיד חכם שיצא במנעלים המטולאים לשוק. והא רבי אחא בר חנינא נפיק! אמר רבי אחא בריה דרב נחמן: בטלאי על גב טלאי.

ואמר רבי חייה בר אבא אמר רבי יוחנן: כל תלמיד חכם שנמצא רבב על בגדו – חייב מיתה, שנאמר: "כל משנאי אהבו מות" אל תקרי 'משנאי' אלא 'משנאי'. רבינא אמר: רבד איתמר. ולא פליגי, הא – בגלימא, הא – בלבושא.

ואמר רבי חייה בר אבא אמר רבי יוחנן: מאי דכתיב: "באשר הלך עבדי ישעיהו ערום ויחף." ערום – בגדים בלואים, ויחף – במנעלים המטולאים.

תנן התם: רבב על המרדע – חוצץ, רבן שמעון בן גמליאל אומר: עד באיסר האיטלקי. ועל הבגדים, מצד אחד – אינו חוצץ, משני צדדין – חוצץ. רבי יהודה אומר משום רבי ישמעאל: אף מצד אחד חוצץ.

בעא מיניה רבי שמעון בן לקיש מרבי חנינא: מרדעת, מצד אחד או משני צדדין? אמר ליה: זו לא שמעתי, ביצא בה שמעתי, דתנן, רבי יוסי אומר: של בנאין – מצד אחד, ושל בור – משני צדדין, ולא תהא מרדעת חשובה מבגדו של עם הארץ.

From where is it derived that changing clothes is a display of honor? As it is stated: "And he will remove his garments and will don other garments, and he will bring the ashes outside of the camp to a pure location" (Leviticus 6:4). The school of Rabbi Yishmael taught: The Torah taught you etiquette. The clothes in which one prepared food for his master, one does not wear to pour his master wine. Since cooking makes one's clothes dirty, he should wear fresh clothes when serving his master.

Rabbi Hiyya bar Abba said that Rabbi Yoḥanan said: It is disgraceful for a Torah scholar to go out to the marketplace in patched shoes.⁴ The Gemara asks: Didn't Rabbi Aḥa bar Ḥanina go out in patched shoes? Rabbi Aḥa, son of Rav Nahman, said: They only prohibited patched shoes if there is a patch upon a patch.

And Rabbi Hiyya bar Abba said that Rabbi Yoḥanan said: A Torah scholar on whose clothes a fat stain is found⁵ is liable to receive the death penalty, as it is stated: "All those who hate me love death" (Proverbs 8:36), and the Sages said: Do not read: Those who hate me [*mesanai*]. Rather, read: Those who cause me to be hated [*masniai*]. Those who cause people to hate the Torah by creating the impression that those who study Torah are unclean deserve the death penalty. Ravina said: A fat stain [*revav*] was not stated, but rather a bloodstain [*revad*]⁶ was stated (Rabbeinu Ḥananel), which is a greater disgrace. The Gemara adds: They did not disagree over the *halakha*. Rather, the dispute is whether that which we learned concerning stains on a Torah scholar's clothes refers to an overgarment that people wear over the rest of their clothes, while that which we learned with regard to a bloodstain refers to an undergarment, where a bloodstain is disgraceful but other types of spots are not.

And similarly, Rabbi Hiyya bar Abba said that Rabbi Yoḥanan said: That which is written: "As My servant Isaiah went naked and barefoot for three years" (Isaiah 20:3), is not to be understood literally. Rather, naked means that he wore tattered clothing, and barefoot means that he walked with patched shoes.

We learned in a mishna there: A fat stain on a donkey's saddle⁷ interposes, i.e., if the saddle becomes impure, its immersion in a ritual bath is invalid unless the stain is removed. Rabban Shimon ben Gamliel says: A stain interposes only when it is as large as an Italian *issar*⁸ but not smaller. And if there were a fat stain on clothing on one side, it does not interpose, but if the stain is on both sides it interposes.⁹ Rabbi Yehuda says in the name of Rabbi Yishmael: It interposes even on one side.

Rabbi Shimon ben Lakish raised a dilemma before Rabbi Ḥanina: Is a stain on a saddle an interposition even if it is on just one side, or only if it is on both sides? Rabbi Ḥanina said to him: That, I did not hear explicitly. However, I heard something similar to it. As we learned in that same mishna that Rabbi Yosei says: A garment belonging to builders [*banna'in*] is considered to have an interposition if it has a stain on one side, and that of an ignoramus, who is not meticulous, is considered to have an interposition when the stain is on both sides. And certainly a donkey's saddle cannot be more important than the garment of an *am ha'aretz*.

HALAKHA

It is disgraceful for a Torah scholar to go out to the marketplace in patched shoes – גנאי הוא לתלמיד חכם שיצא במנעלים המטולאים לשוק: It is disgraceful for a Torah scholar to walk in public in shoes that have patches upon patches. This applies specifically in the summer months. However, it is permitted during the rainy season (Rambam *Sefer HaMadda*, *Hilkhot Deot* 5:9).

A Torah scholar on whose clothes a fat stain is found – כל תלמיד חכם: It is prohibited for a Torah scholar to go out with a fat stain on an outer garment. If a Torah scholar is not careful and appears publicly in a stained jacket, he desecrates the name of God in public (Rambam *Sefer HaMadda*, *Hilkhot Deot* 5:9).

A stain on a saddle – כתם מרדעת: A pitch stain on a saddle interposes when it is immersed in a ritual bath. This is the case only if the stain is on both sides of the saddle (Rambam *Sefer Tahara*, *Hilkhot Mikvaot* 3:3).

A stain on clothing for the matter of interpositions to immersion in the ritual bath – כתם בבגד לענין חציצה בטבילה: A stain from pitch or clay interposes on the clothing of a Torah scholar when it is immersed in a ritual bath. This is the case even if the stain is only on one side of the garment. With regard to the clothing of an *am ha'aretz*, the stain only interposes when it is on both sides of the garment, in accordance with the opinion of Rabbi Yosei (Rambam *Sefer Tahara*, *Hilkhot Mikvaot* 3:4).

Who is a Torah scholar of whom the Sages said that one must return a lost object to him based on visual identification – איזהו תלמיד חכם שמתוירין לו אבידה בטביעות העין – One must return a lost object to a Torah scholar who claims it, even if it lacks an identifying mark. This applies when the scholar has a reputation for honesty and for behaving like a Torah scholar, to the extent that his shirt is worn in a way that the seams are not visible from the outside (*Shulhan Arukh, Hoshen Mishpat 262:21*).

Who is a Torah scholar who may be appointed as a leader of the community – איזהו תלמיד חכם שמונחין אותו – A Torah scholar who answers halakhic questions correctly on any topic is suited to be appointed a leader of the community (*Shulhan Arukh, Orach Hayyim 136* and in the comment of the Rema).

Death shrouds – תכריכי המת: The Jewish custom is to bury the dead in white shrouds. We do not rule in accordance with the opinion of Rabbi Yannai, who made his statement due to his extreme humility (*Shulhan Arukh, Yoreh De'a 352:2*).

The burnt-offering of Shabbat on its Shabbat – עולת שבת: Fats that remain from Shabbat offerings are burnt on the altar on the night of a Festival that begins at the conclusion of Shabbat. This does not apply to Yom Kippur that begins at the conclusion of Shabbat. This ruling is in accordance with the opinion of Rabbi Akiva, whose opinions determine the *halakha* in disputes with his colleagues (*Rambam Sefer Avoda, Hilkhot Temidin UMusafin 1:7*).

NOTES

One who makes sure his upper undergarment is turned inward – המקפיד על חלוקו להופכו: Some say that there is a connection between Rabbi Yohanan's statement and the previous *halakha*, i.e., that a stain on one side of a Torah scholar's garment interposes, and therefore Torah scholars are careful to turn their clothes inside out to examine them and determine if there are stains even on one side (*Maharsha*).

Who is a Torah scholar – איזהו תלמיד חכם: *Maharsha* explains that the Torah scholar mentioned in this context is not necessarily a brilliant Sage. Rather, the Gemara is referring to a person who is God-fearing and conducts himself in the ways of the Sages. If an individual is able to answer questions correctly in a particular area of *halakha*, he can be entrusted with communal responsibilities. For example, one who is knowledgeable with regard to the *halakhot* of charity may be appointed a manager of charity distribution.

Tractate *Kalla* – מסכת כלה: See *Tosafot* for various explanations of the phrase tractate *Kalla*. Some *ge'onim* write that tractate *Kalla* was the tractate studied in the yeshiva during the periods when multitudes would gather in the study hall. However, they interpret the criterion of being able to answer a question on *Kalla* as a stringent one. A scholar who is asked about the tractate being studied in the yeshiva will have to respond in the presence of all the Torah scholars gathered in the yeshiva. Therefore, his answer must satisfy the greatest Sages of his generation.

LANGUAGE

Bath attendants [*ulairin*] – אולירין: The origin of this word as well as its meaning are unclear. Some commentaries state that it is from the Greek word *ολερόν, oleron*, meaning unclear or faded. The garments of bath attendants were imported from overseas and were not familiar to all. Consequently, there were disputes with regard to their color.

מאי בנאין? אמר רבי יוחנן: אלו תלמידי חכמים, שעוסקין בבנינו של עולם כל ימיהן. ואמר רבי יוחנן: איזהו תלמיד חכם שמתוירין לו אבידה בטביעות העין – זה המקפיד על חלוקו להופכו. ואמר רבי יוחנן: איזהו תלמיד חכם שמונחין אותו פרנס על הציבור – זה ששואלין אותו דבר הלכה בכל מקום ואומר, ואפילו במסכת כלה.

ואמר רבי יוחנן: איזהו תלמיד חכם – שבני עירו מצווין לעשות לו מלאכתו – זה שמניח חפצו ועוסק בחפצי שמים, והני מילי – למיטרת בריפתיה. ואמר רבי יוחנן: איזהו תלמיד חכם – כל ששואלין אותו הלכה בכל מקום ואומר. למאי נפקא מינה – למנוייה פרנס על הציבור. אי בחדא מסכתא – באתריה, אי בכוליה בגויה – בריש מתיבתא.

רבי שמעון בן לקיש אמר: אלו בליים האולירין הבאין ממדינת הים. למימרא דחוריי ננהו? והאמר להו רבי ינאי לבניו: בני, אל תקברוני לא בכלים לבנים, ולא בכלים שחורים. לבנים – שמא לא אופה ואהיה בחתן בין אבליים, שחורים – שמא אופה ואהיה כאבל בין חתנים. אלא בכלים האולירין הבאין ממדינת הים, אלמא סמקי ננהו! לא קשיא, הא – בגלימי, הא – בלבושי.

“רבי ישמעאל אומר מקפלין בו.” תנו רבנן: “עולת שבת בשבתו” – לימוד על חלבי שבת שקריבין ביום הכיפורים. יכול אף של יום הכיפורים בשבת – תלמוד לומר: “בשבתו” דברי רבי ישמעאל.

רבי עקיבא אומר: “עולת שבת בשבתו” – לימוד על חלבי שבת שקורבים ביום טוב, יכול אף ביום הכיפורים – תלמוד לומר: “בשבתו”.

The Gemara asks: Who are the builders mentioned here? Rabbi Yohanan said: These are Torah scholars, who are engaged in building the world all of their days. And with regard to this, Rabbi Yohanan said: Who is a Torah scholar of whom the Sages said that one must return a lost object to him based on visual identification,^h even if he does not provide an identifying sign for it? That is one who makes sure his upper undergarment is turned inward^N so that the uneven stitching is not visible. This means that he conducts himself like a Torah scholar in all his ways, even in matters of cleanliness and order (*Maharsha*). On a related note, the Gemara adds that which Rabbi Yohanan said: Who is a Torah scholar^N who may be appointed as a leader of the community?^h This is one who is asked about matters of *halakha* on any topic and he is able to answer, and even if he were asked about tractate *Kalla*,^N a tractate that few have mastered.

And Rabbi Yohanan said: Who is the Torah scholar for whom the inhabitants of his city are commanded to perform his labor for him? This is one who sets his own matters aside and engages in matters of Heaven. It is therefore fitting for the community to support him. And that applies only to exerting themselves to provide him with his bread, as it is appropriate that they sustain him. And Rabbi Yohanan said: Who is included in the category of a Torah scholar? Anyone who is asked about the *halakha* with regard to any topic and is able to state it. And they say: What are the practical consequences of this question? It is to appoint him a leader of the community. If he is an expert in a single tractate, they appoint him as a leader in his place; if he is an expert in all of his learning, they appoint him as the head of the yeshiva.

Rabbi Shimon ben Lakish said: These garments of the *banna'in* mentioned in the mishna are the clothes of the bath attendants [*ulairin*]¹ that come from a country overseas, on which stains are apparent, and these men are meticulous about their cleanliness. The Gemara asks: Is that to say that these are white garments? Didn't Rabbi Yannai say to his sons: My sons, do not bury me in white garments nor in black garments.^h Not in white, lest I not be acquitted in judgment, and I will be among the wicked like a groom among mourners. And not in black, lest I be acquitted in judgment, and I will be among the righteous like a mourner among grooms. Rather, bury me in the clothes of the bath attendants who come from a country overseas, which are neither black nor white. Apparently, these clothes of the bath attendants are red. The Gemara answers: This is not difficult, as a distinction can be made. When Rabbi Yannai indicates that they are red, that is referring to overgarments; the statement of Rabbi Shimon ben Lakish that indicated that they are white, that is referring to undergarments.

We learned in the mishna that Rabbi Yishmael says: One may fold clothes and make beds on Yom Kippur for Shabbat if Yom Kippur occurs on Friday, and the fats of the sacrifices that were brought on Shabbat were offered on Yom Kippur that occurs on Sunday. The verse “The burnt-offering of Shabbat on its Shabbat,”^h besides the daily offering and its libation” (Numbers 28:10) taught, with regard to the fats of Shabbat, that they are offered on Yom Kippur, because Yom Kippur is also called Shabbat, and the verse indicates that the Shabbat offering is offered on another Shabbat. I might have thought even the fats from Yom Kippur offerings could be sacrificed on Shabbat; therefore, the verse states “on its Shabbat” to specify that it is not so; this is the statement of Rabbi Yishmael.

Rabbi Akiva says that when the verse says: “The burnt-offering of Shabbat on its Shabbat,” it teaches that the fats of Shabbat are offered on a Festival that occurs on the following day. I might have thought that they could even be offered on Yom Kippur that occurred on the day after Shabbat. Therefore, the verse states “on its Shabbat” and not on another one.

BACKGROUND

When you analyze the matter you will find that you can say – **בְּשֶׁתִּמְצָא לומר** – This is a common talmudic expression that means: If the statement of a certain Sage is examined closely, a certain idea that was not stated explicitly will be found to have been alluded to in the Sage's statement.

HALAKHA

Vows and free-will offerings are not brought on a Festival – **נְדָרִים וְנִדְבּוֹת אֵין קָרְבִּין בְּיוֹם טוֹב** – Vows and free-will offerings do not have a fixed time. Therefore, they are not offered as festival sacrifices or offered on a Festival, in accordance with the opinion of Rabbi Akiva as interpreted in the Gemara (Rambam *Sefer Korbanot, Hilkhot Hagiga* 1:8, 10).

בְּשֶׁתִּמְצָא לומר, לְדַבְּרִי רַבִּי יִשְׁמַעְאֵל – נְדָרִים וְנִדְבּוֹת קָרְבִּין בְּיוֹם טוֹב, וְכִי אֵיצְטְרִיךְ קָרָא – לְיוֹם הַכִּיּוּרִים. לְדַבְּרִי רַבִּי עֲקִיבָא – נְדָרִים וְנִדְבּוֹת אֵין קָרְבִּין בְּיוֹם טוֹב, וְכִי אֵיצְטְרִיךְ קָרָא – לְמִישְׁרָא בְּיוֹם טוֹב. אָמַר רַבִּי זֵירָא

When you analyze the matter you will find that you can say⁸ that, in accordance with the statement of Rabbi Yishmael, vows and free-will offerings are offered on a Festival. If sacrifices that fulfill vows can be postponed to a weekday but are nevertheless brought on a Festival, certainly fats from Shabbat can be offered on a Festival that follows it. And the verse is needed to permit offering Shabbat fats on Yom Kippur that follows it. However, according to Rabbi Akiva vows and free-will offerings are not brought on a Festival,⁹ and therefore the verse is needed to permit sacrificing the fats from Shabbat on a Festival that follows it, but on Yom Kippur it is prohibited. Rabbi Zeira said:

Perek XV

Daf 114 Amud b

HALAKHA

If Yom Kippur occurred on Shabbat eve...and at the conclusion of Shabbat, etc. – **יוֹם הַכִּיּוּרִים שָׁחַל** – יוֹם הַכִּיּוּרִים שָׁחַל לְהוֹיֹת עֶרֶב שַׁבָּת...ובמוצאי שבת וכו' If Yom Kippur occurs on Friday, the *shofar* is not sounded at the start of Shabbat. If it begins at the conclusion of Shabbat, the *shofar* is not sounded then, nor is *havdala* recited, in accordance with the ruling in the *baraita* (Rambam *Sefer Zemanim, Hilkhot Shabbat* 5:21).

Blasts to divide between the sacred and the profane – **תְּקִיעוֹת בֵּין חוֹל לְקוֹדֶשׁ** – Six blasts of the *shofar* were sounded on Friday before Shabbat. The first three were a signal for people to stop working, and the last three heralded the start of the holy day (Rambam *Sefer Zemanim, Hilkhot Shabbat* 5:18–20).

כִּי הָוִינָא בְּבִבְלָ הָוָה אָמַרִי – הָא דְתַנְיָא: יוֹם הַכִּיּוּרִים שָׁחַל לְהוֹיֹת עֶרֶב שַׁבָּת – לֹא הָיוּ תוֹקְעִין, וּבְמוֹצָאֵי שַׁבָּת לֹא הָיוּ מְבַדִּילִין – דְּבָרֵי הַכֹּל הֵיא. כִּי סְלִיקָנָא לְהַתָּם, אֲשַׁכְחִיתִיהּ לִיהוּדָה בְּרִיָּה דְרַבִּי שְׁמַעוֹן בֶּן פִּזִּי דִּיתֵיב וְקָאָמַר: רַבִּי עֲקִיבָא הֵיא: דְּאִי רַבִּי יִשְׁמַעְאֵל, בֵּין דְּאָמַר "חֲלָבִי שַׁבָּת קָרְבִּין בְּיוֹם הַכִּיּוּרִים" – לִיתְקַע, כִּי הֵיכִי דְלִיהוּ יִדְעֵי דְחֲלָבִי שַׁבָּת קָרְבִּין בְּיוֹם הַכִּיּוּרִים. וְאָמַרְנָא לֵיהּ אָנָּה: כְּהֵנִים וְרִיזִין הֵן.

When I was in Babylonia, I said with regard to that which was taught in a *baraita*: If Yom Kippur occurred on Shabbat eve, they would not sound the *shofar* as they did every Friday to herald the start of Shabbat; and if Yom Kippur occurred at the conclusion of Shabbat,¹⁰ they would not recite *havdala* to mark the end of the sanctity of Shabbat and the start of the sanctity of Yom Kippur, is a statement accepted by all. When I went to Eretz Yisrael, I found Yehuda, son of Rabbi Shimon ben Pazi, who sat and said: This *baraita* is in accordance with the opinion of Rabbi Akiva, as it equates the sanctity of Yom Kippur with that of Shabbat. As, if you say that it is in accordance with the opinion of Rabbi Yishmael, then, since Rabbi Yishmael said that fats from Shabbat are offered on Yom Kippur, let them sound the *shofar*¹¹ so that the priests will know that the fats from Shabbat are offered on Yom Kippur and they may begin offering them (Rav Hai Gaon). And I said to him: You cannot prove this from here, because priests are vigilant and can be trusted to know this on their own, and there is no need to sound the *shofar*.

אָמַר לֵיהּ מֶר קַשִּׁישָׁא בְּרִיָּה דְרַב חֲסִידָא לְרַב אֲשִׁי: מִי אָמַרְנָא "כְּהֵנִים וְרִיזִין הֵן"? וְהִתְנָן: שְׁלֹשׁ לְהַבְטִיל אֶת הָעָם מִמְּלָאכָה, שְׁלֹשׁ לְהַבְדִּיל בֵּין קוֹדֶשׁ לְחוֹל! בְּדָאָמַר אַבְי: לְשֹׁאֵר עָמָא דְבִירוּשָׁלַיִם, הָכָא נְמִי: לְשֹׁאֵר עָמָא דְבִירוּשָׁלַיִם. וְלִיתְקַע, כִּי הֵיכִי דְלִידְעֵי דְשַׁבָּת קָרְבִּין בְּיוֹם הַכִּיּוּרִים. וְלִמְעַלָּה! אָמַר רַב יוֹסֵף: לְפִי שְׂאִין דּוֹחִין שַׁבּוֹת לְהַתִּיר.

Mar Kashisha, the son of Rav Hisda, said to Rav Ashi: Do we say that priests are vigilant in that regard? Didn't we learn in a mishna that three blasts were sounded in the Temple on Friday to stop the people from work, and three more were sounded to demarcate between sacred and profane?¹² Apparently, even priests required the blasts to alert them to the beginning and end of Shabbat. The Gemara answers: As Abaye said in a different context, that certain matters were undertaken for the rest of the people in Jerusalem, so too here, these blasts were sounded for the rest of the people in Jerusalem and not for the priests.

NOTES

On Yom Kippur let them sound the *shofar*, etc. – **בְּיוֹם הַכִּיּוּרִים יִתְקַע וְכו'**: There are two basic approaches to interpreting this matter. In the first approach, Rashi explains that the Gemara is not referring to *shofar* blasts between Shabbat and Yom Kippur, because the *shofar* was never sounded at the conclusion of Shabbat. The sounding of the *shofar* in this context is the one that marks the beginning

of Shabbat when Yom Kippur is on Friday. Although there are several difficulties with this approach and the unfolding discussion does not seem to support it, this is the understanding adopted in the Jerusalem Talmud (see *Tosafot* and *Rashba*).

A second approach states that the Gemara is referring to a situation where Yom Kippur begins at the conclusion

of Shabbat. According to these commentaries, the *shofar* would be sounded at that time, just as it was sounded every week at the conclusion of Shabbat, to divide between the sacred and the profane (Rambam). Other commentaries explain that a special *shofar* blast was sounded on the eve of Yom Kippur, just like before Shabbat, and that is being discussed here.

Trimming the vegetables – קניבת ירק – The *Me'iri* explains that trimming here refers to vegetables that have already been cooked to a certain degree and merely need a second cleaning. Other commentaries explain that trimming vegetables does not refer to cutting them, but to rinsing away the dirt. This interpretation is supported in the Jerusalem Talmud (Rashba; Ran).

From the late afternoon and onward – מן המנחה ולמעלה: Trimming vegetables was prohibited before then due to the concern that one might inadvertently eat when handling food. After this time, preparing food is permitted, because at that point, one knows that the end of the fast is near. The Rabbis were lenient in this matter, applying the following aphorism: There is no comparison between one who has bread in his basket and one who does not have bread in his basket. Some commentaries explain that food preparation performed in the late afternoon is clearly intended for after the fast. People who observe food preparation earlier might suspect that food is being prepared to eat during the fast (Rashba; Ran).

HALAKHA

If a Festival occurs on Shabbat eve...the conclusion of Shabbat, etc. – **יום טוב שחל להיות ערב שבת...מוצאי** – שבת וכו': When a Festival occurs on Friday, the *shofar* is sounded at the start of Shabbat, but *havdala* is not recited at the end of the Festival, which is also the start of Shabbat. If a Festival occurs at the conclusion of Shabbat, *havdala* is recited, but no *shofar* blast is sounded (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 5:21).

Trimming vegetables on Yom Kippur – קניבת ירק ביום – **הכיפורים**: The Sages permitted trimming vegetables on Yom Kippur from the late afternoon onward in preparation for the meal that follows the fast. If Yom Kippur occurs on Shabbat, this is prohibited. This is in accordance with the opinions of the later *amora'im*, even though they disagree with Rabbi Yohanan. In modern times, the custom is to prohibit this activity because people began preparing food before the appropriate time (*Mishna Berura*; Rambam *Sefer Zemanim*, *Hilkhot Shevitat Asor* 1:3; *Shulhan Arukh*, *Orah Hayyim* 611:2).

וליתקע, כי היכי דלידעי דשרי בקניבת ירק מן המנחה ולמעלה! אמר רב יוסף: לפי שאין דוחין שבות להתיר.

ורב שישא בריה דרב אידי אמר: שבות קרובה – התירו, שבות רחוקה – לא התירו.

ושבות קרובה התירו! והתנן: יום טוב שחל להיות ערב שבת – תוקעין ולא מבדילין, מוצאי שבת – מבדילין ולא תוקעין. ואמאי? ליתקע, כי היכי דלידעי דשרי בשחיטה לא לתר! אלא מחוורתא כדרב יוסף.

אמר רבי זירא אמר רב הונא, ואמרי לה אמר רבי אבא אמר רב הונא: יום הכיפורים שחל להיות בשבת – אסור בקניבת ירק. אמר רב מנא: תנא, מנן ליום הכיפורים שחל להיות בשבת שאסור בקניבת ירק – תלמוד לומר: "שבתון" – שבות. למאי? אילימא למלאכה – והכתיב: "לא תעשה כל מלאכה." אלא לאו – אקניבת ירק, שמע מינה.

אמר רבי חיאי בר אבא אמר רבי יוחנן: יום הכיפורים שחל להיות בשבת – מותר בקניבת ירק. מיתבי: מנן ליום הכיפורים שחל להיות בשבת שאסור בקניבת ירק – תלמוד לומר: "שבתון" – שבות. למאי? אילימא למלאכה – והכתיב: "לא תעשה כל מלאכה," אלא לאו בקניבת ירק! לא. לעולם למלאכה, ולעבור עליה בעשה ולא תעשה.

The Gemara asks: In any event, **Let them sound the shofar so that they will know that trimming the vegetables**,^N i.e., removing the leaf heads from vegetables in preparation for cutting them, **is permitted from the late afternoon and onward**.^N On Yom Kippur, it is permitted, starting at a certain point of the day, to prepare vegetables for the meal following the fast. However, this is not permitted on Shabbat, when it is prohibited to perform any action in preparation for the weekdays after Shabbat. **Rav Yosef said:** This is because a rabbinic prohibition [*shevut*] is not overridden in order to permit another action. Although sounding the *shofar* is not prohibited by Torah law on Shabbat, it is prohibited by rabbinic law on Shabbat and Yom Kippur, and this prohibition is not overridden to permit another action.

And Rav Sheisha, son of Rav Idi, said: The Sages permitted doing so for an immediate rabbinic prohibition, e.g., sounding the *shofar* to permit prohibited actions immediately. **They did not permit** doing so for a more remote rabbinic prohibition, such as trimming vegetables, which is allowed only beginning late in the afternoon, several hours after the start of Yom Kippur (Rabbeinu Hananel).

The Gemara asks: **And did they permit** doing so for an immediate rabbinic prohibition? Didn't we learn in a mishna that if a Festival occurs on Shabbat eve, one sounds the *shofar* to announce that Shabbat has begun, but one does not recite *havdala* over wine to mark the conclusion of the Festival, because the sanctity of Shabbat is greater than the sanctity of the Festival? And if a Festival occurs at the conclusion of Shabbat,^H one recites *havdala* to demarcate between the sanctity of Shabbat and the sanctity of the Festival, but one does not sound the *shofar*. **And why** does one not sound the *shofar*? **Let them sound the shofar** at the beginning of the Festival, so that people will know that slaughtering is permitted immediately on the Festival, although it was prohibited on Shabbat. **Rather, it is clear** that this must be explained in accordance with the opinion of Rav Yosef, who says that a rabbinic prohibition is not overridden to permit the performance of actions that were prohibited.

With regard to trimming vegetables on Yom Kippur, the Gemara cites that which Rabbi Zeira said that Rav Huna said, and some say Rabbi Abba said that Rav Huna said: If Yom Kippur occurs on Shabbat, trimming vegetables is prohibited.^H Rav Mana said: It was taught in a *baraita*: From where is it derived that on Yom Kippur that occurs on Shabbat trimming vegetables is prohibited? The verse states: "A solemn rest [*shabbaton*], a holy Shabbat unto the Lord" (Exodus 16:23), which means that there is an obligation to issue a rabbinic prohibition on this day. Issue a rabbinic prohibition for what activity? If you say this refers to prohibiting actual labor, isn't it written explicitly: "But the seventh day is Shabbat for the Lord your God; you shall not perform any labor" (Exodus 20:9)? **Rather, does it not refer to trimming vegetables**, which is prohibited on Shabbat even though it is not a full-fledged prohibited labor? The Gemara concludes: Indeed, learn from it that trimming vegetables is prohibited.

Rabbi Hiyya bar Abba said that Rabbi Yohanan said: If Yom Kippur occurs on Shabbat, trimming vegetables is permitted. The Gemara raised an objection from what we learned in the *baraita* cited earlier: From where is it derived that on Yom Kippur that occurs on Shabbat trimming vegetables is prohibited? The verse states: "A solemn rest [*shabbaton*], a holy Shabbat unto the Lord" (Exodus 16:23), which means that there is an obligation to issue a rabbinic prohibition on this day. Issue a rabbinic prohibition for what activity? If you say this refers to prohibiting actual labor, isn't it written explicitly: "But the seventh day is Shabbat for the Lord your God; you shall not perform any labor" (Exodus 20:9)? **Rather, is it not referring to trimming vegetables**, which is prohibited on Shabbat? The Gemara answers: **No**, that is not; rather, solemn rest actually refers to labor. It is a positive commandment to rest on Shabbat. Although the verse says explicitly: "But the seventh day is Shabbat for the Lord your God; you shall not perform any labor," this adds that one who performs a prohibited labor violates both a positive mitzva and a prohibition.

Perek XV

Daf 115 Amud a

HALAKHA

If Yom Kippur occurs on a weekday, one may crack nuts – יום כיפורים שחל להיות בחול מפעין באגוזים. The Sages permitted cracking open nuts on Yom Kippur beginning in the late afternoon to prepare the nuts to be eaten after the fast. If Yom Kippur occurs on Shabbat, this is prohibited. The contemporary custom is to prohibit all of these preparations, because people began performing them before the appropriate time (Rambam *Sefer Zemanim, Hilkhhot Shevitat Asor* 1:3; *Shulḥan Arukh, Oraḥ Ḥayyim* 611:2).

NOTES

A letter came from the West – איגרתא ממערבא: Although Rabba received no such letter, he wanted to teach them the *halakha* and have them take it seriously. Consequently, he phrased his teaching in this way. This type of lie is permitted, since it is within the parameters of the ways of peace (*HaBoneh*).

מוותר בקניבת ירק. (ואמר רבי חייא
בר אבא אמר רבי יוחנן: יום כיפורים
שחל להיות בחול) – מפעין באגוזים,
ומפרסין ברימונים מן המנחה ולמעלה
מפני עגמת נפש. דבי רב יהודה מקנבי
כרבא, דבי רבה גרדי קארי. כיון דחזא
דהו קא מחרפי, אמר להו: אתא איגרתא
ממערבא משמיה דרבי יוחנן דאסיר.

trimming vegetables is permitted. And Rabbi Ḥiyya bar Abba said that Rabbi Yoḥanan said: If Yom Kippur occurs on a weekday, one may crack nuts^H and remove pomegranate seeds from the late afternoon and onward, because doing so involves no actual labor and due to anxiety, i.e., if a person does not know that there is food prepared for when the fast ends, he suffers more during the final hours of the day (Rabbi Zeraḥia HaLevi). The Gemara relates: The members of Rav Yehuda's house would trim cabbage. The members of Rabba's house would scrub gourds. Once Rabba saw that they were doing this early, before the late afternoon, he said to them: A letter came from the West,^N i.e., from Eretz Yisrael, in the name of Rabbi Yoḥanan, saying that doing so is prohibited.

הדרן עלך ואלו קשרים

Summary of Perek XV

In the course of discussing the labor category of tying, the opinions and arguments of several *tanna'im* were elucidated. For halakhic purposes, it was concluded that there are two components necessary for an act to constitute the labor of tying. First, the resulting knot must be one which requires the skill of a craftsman, i.e., a permanent knot, which is produced in a manner which will, in the normal course of events, endure and not easily be undone. For this reason, a necktie is not a type of knot. Second, the knot must be tied with the intention that it endure in its place and not be undone. A knot which is initially tied in order to be untied daily or at short intervals is not included in this category.

On the basis of these fundamental principles, it was possible to define which activities constitute the tying prohibited by the Torah. What remains to be determined is the nature of those knots which one is permitted to tie on Shabbat *ab initio*. This matter is clarified in commentaries and by halakhic authorities.

The second topic of this chapter is preparation. It was determined that it is prohibited to prepare for a mundane day on a sacred day, such as preparation for a weekday on Shabbat. It is even prohibited to prepare on a day of greater sanctity for a day of lesser sanctity, e.g., preparing on Shabbat for Yom Kippur.

It was also clarified that preparatory activities necessary for Shabbat can be performed on Shabbat, even if the products of these activities were not actually used on Shabbat. It is prohibited to perform only activities that one explicitly knows at the time are not at all necessary for that Shabbat. It must be understood that the above principle does not pertain to labor, which is in and of itself prohibited on Shabbat. Activities that constitute labor are permitted on Shabbat only in life-threatening situations. The Gemara's discussion of preparation only referenced activities which, in and of themselves, are permitted on Shabbat. These activities were prohibited to give Shabbat its due reverence, because they are mundane activities [*uvdin dehol*].

Introduction to Perek XVI

This chapter mainly deals with a single question: How is one to conduct oneself when a fire breaks out on Shabbat? The *halakha* maintains that it is prohibited to extinguish a fire on Shabbat, even in a situation of great financial loss. Therefore, the question arises: What is permissible to do in the case of a fire? Under what conditions is it permissible to rescue materials from a fire on Shabbat?

The decrees instituted by the Sages with reference to rescuing objects from a fire on Shabbat are the source of many of the questions pertaining to this matter. These decrees are based upon the concern that if one is permitted to evacuate his goods, he may, in his panic, perform the kind of extinguishing that is biblically prohibited, both because of his preoccupation with the act of evacuation and because people become panicked when their property is at stake. Therefore, the Sages permitted the rescue of domestic utensils and even foodstuffs in only limited quantities. Additionally, there is discussion of the numerous details related to permissible methods and stratagems that enable the rescue of more than the very minimum fixed by the law.

Another question related to rescuing materials from a fire is the problem of sacred writings and other holy objects. Because of their sanctity, the Sages permitted many procedures for rescuing them that may not be performed for other objects. According to many opinions, the Sages went to great extremes to grant permission in this matter, ruling leniently even when there are risks of violating rabbinic prohibitions, and sometimes even biblical prohibitions, because of their great concern for salvaging a wide variety of sacred materials.

The detailed explication of what one is permitted to and prohibited to rescue from a fire on Shabbat, the enumeration of the types of holy objects that are worthy of rescue, and guidelines for how to conduct oneself in the event of a fire are the main topics of this chapter.

Incidentally, as is typical of talmudic discourse, there are discussions of other subjects related to the chapter's central theme.

מתני' כל כתבי הקדש מצילין אותן מפני הדליקה, בין שקורין בהן ובין שאין קורין בהן. אף על פי שכתובים בכל לשון טעונים גניזה. ומפני מה אין קורין בהם – מפני ביטול בית המדרש.

גמ' איתמר: היו כתובים תרגום או בכל לשון, רב הונא אמר: אין מצילין אותן מפני הדליקה, ורב חסדא אמר: מצילין אותן מפני הדליקה. אליבא דמאן דאמר "ניתנו לקרות בהן" – דכולי עלמא לא פליגי דמצילין. כי פליגי – אליבא דמאן דאמר "לא ניתנו לקרות בהן". רב הונא אמר: אין מצילין – דהא לא ניתנו לקרות בהן, רב חסדא אמר: מצילין – משום בזיון כתבי הקדש. תנן: כל כתבי הקדש מצילין אותן מפני הדליקה, בין שקורין בהן ובין שאין קורין בהן, אף על פי שכתובים בכל לשון. מאי לאו "שקורין בהן" – נביאים, ו"שאין קורין בהן" – כתובים, אף על פי שכתובים בכל לשון, דלא ניתנו לקרות בהן, וקתני "מצילין", והויבטל דרב הונא!

אמר לך רב הונא: ותסבירא? אימא סיפא: טעונים גניזה. השתא אצולי מצילין, גניזה מיבעי? אלא, רב הונא מתרץ לטעמיה, ורב חסדא מתרץ לטעמיה. רב הונא מתרץ לטעמיה: בין שקורין בהם – נביאים, ובין שאין קורין בהם – כתובים, במה דברים אמורים – שכתובים בלשון הקדש, אבל בכל לשון – אין מצילין, ואפילו הכי – גניזה בעו. רב חסדא מתרץ לטעמיה: בין שקורין בהן – נביאים, ובין שאין קורין בהן – כתובים, אף על פי שכתובים בכל לשון – נמי מצילין, והכי קאמר: ומקק שילהן טעונים גניזה.

MISHNA With regard to all sacred writings, one may rescue them from the fire^N on Shabbat, whether they are read in public, e.g., Torah or Prophets scrolls, or whether they are not read in public, e.g., Writings scrolls. This ruling applies even though they were written in any foreign language. According to the Rabbis, those scrolls are not read in public, but they are still sacred and require burial.^H And why does one not read the Writings on Shabbat? Due to suspension of Torah study in the study hall.^N People came to the study hall at specific times on Shabbat to hear words of *halakha*, and other texts were not allowed at those times.

GEMARA It was stated that *amora'im* debated the status of sacred writings written in Aramaic translation or in any other language. Rav Huna said: One may not rescue them from the fire on Shabbat. And Rav Hisha said: One may rescue them from the fire on Shabbat. The Gemara adds: According to the one who said that sacred writings written in other languages may be read, everybody agrees that one may rescue them. Where they argue is according to the one who said that they may not be read.^N Rav Huna said: One may not rescue them, as they may not be read. Whereas Rav Hisha said: One may rescue them due to disgrace to sacred writings that will result. We learned in the mishna: With regard to all sacred writings, one may rescue them from the fire on Shabbat whether they are read in public or whether they are not read in public, even if they are written in any foreign language. What, is it not that the phrase: "That they are read" is referring to the books of the Prophets, and the phrase: "That they are not read" is referring to the Writings? Even though these are books written in any foreign language, which may not be read, it is taught that one may save them. This then is a conclusive refutation of the opinion of Rav Huna.

Rav Huna could have said to you: And do you understand the mishna that way? Say the latter clause of the mishna, which states: They require burial. This is unnecessary, as now, that it was mentioned that we rescue them from the fire, is it necessary to say that they require burial? Rather, the mishna must be emended. Rav Huna reconciles the mishna in accordance with his reasoning, and Rav Hisha reconciles the mishna in accordance with his reasoning: Whether they are read is referring to the Prophets, and whether they are not read is referring to the Writings. In what case is this statement said? It is in a case where they are written in the holy tongue, but if they are not written in Hebrew but in any other language, they are not rescued from the fire on Shabbat, and even so, they require burial. Rav Hisha reconciles the mishna in accordance with his reasoning: Whether they are read is referring to the Prophets, and whether they are not read is referring to the Writings, even if they are written in any language other than Hebrew, they are also rescued. And this is what the mishna is saying: And even the decayed sections of parchment require burial.

NOTES

מצילין אותן מפני הדליקה: In the Jerusalem Talmud it is explained that the *halakha* is in accordance with Rabbi Shimon's opinion that, in general, extinguishing a fire is prohibited by rabbinic and not by Torah law. Therefore, it is permitted to douse a fire in order to rescue sacred books.

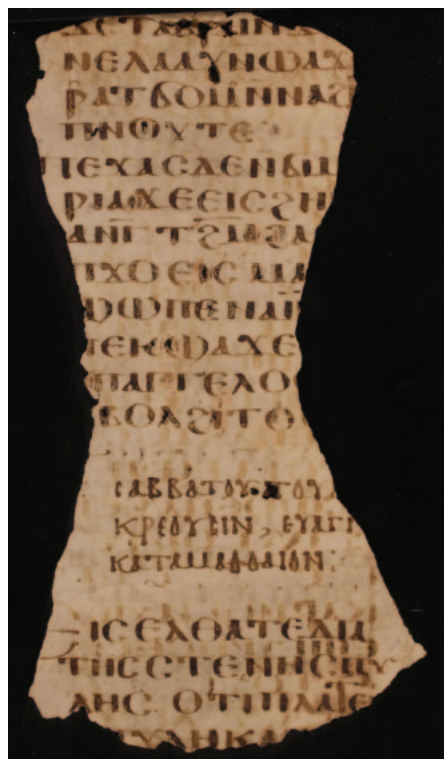
ביטול בית – Suspension of Torah study in the study hall: In the Jerusalem Talmud it is stated, and Rabbi Nehemya stated below, that the decree against reading the Writings on Shabbat was issued to underscore the sanctity of the day. If one is prohibited to read the sacred Writings, people will certainly refrain from reading other books, contracts, and additional business documents.

ללא ניתנו לקרות בהן – They may not be read: It is a matter of dispute whether or not sacred writings translated from Hebrew into other languages may be read in public. Some *tanna'im* held that it is permitted to read the Greek translation of the Torah in public. However, the translations of other books of the Bible may neither be written nor read in public.

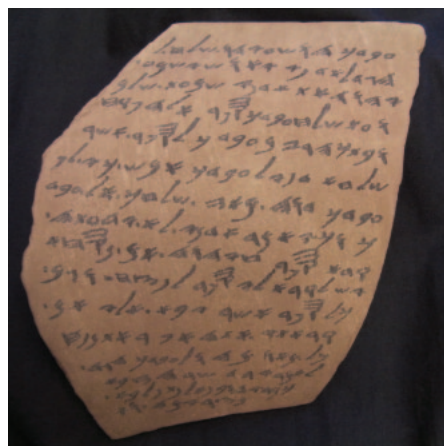
HALAKHA

Burying sacred writings – גניזת כתבי קדש: Scrolls of the sacred writings that have become worn must be treated with proper respect. Consequently, they are not thrown into the garbage, but are buried. Books of *halakha* and *aggada* are included in

the category of sacred writings. Once they were allowed to be written, their status is that of sacred writings in this regard (*Tosafot*; Rambam *Sefer Ahava*, *Hilkhot Tefillin UMezuza VeSefer Torah* 10:3; *Shulhan Arukh*, *Yoreh De'a* 282:5).



Section of the Bible translated into Coptic, from the talmudic period



Section of the Bible in ancient Hebrew script, from the Dead Sea Scrolls



Section of the Bible translated into Judeo-Greek, Second Temple period

מיתבי: היו כתובים תרגום וכל לשון מצילין אותן מפני הדליקה, תיובתא דרב הונא! אמר לך רב הונא: האי תנא סבר ניתנו לקרות בהן. תא שמע: היו כתובין גיפטיים, מדיית, עברית, עילמית, יוונית, אף על פי שלא ניתנו לקרות בהן – מצילין אותן מפני הדליקה, תיובתא דרב הונא! אמר לך רב הונא: תנאי היא: דתנאי: היו כתובין תרגום וכל לשון – מצילין אותן מפני הדליקה, רבי יוסי אומר: אין מצילין אותן מפני הדליקה.

אמר רבי יוסי: מעשה באבא חלפתא שהלך אצל רבן גמליאל בריבי לטבריא, ומצאו שהיה יושב על שלחנו של (יוחנן הנזיר) ובידו ספר איוב תרגום והוא קורא בו. אמר לו: זכור אני ברבן גמליאל אבי אביך שהיה עומד על גבי מעלה בהר הבית, והביאו לפניו ספר איוב תרגום, ואמר לבנאי: שקעוהו תחת הנדבך! אף הוא צוה עליו וגו'. רבי יוסי ברבי יהודה אומר: עריבה של טיט כפו עליו. אמר רבי: שתי תשובות בדבר, חדא – וכי טיט בדר הבית ממין? ועוד: וכי מותר לאבדן ביד? אלא: מניח במקום התורפה, והן מקיבין מאליהן. מאן תנאי?

The Gemara raises an objection from that which was taught in a *baraita*: If they were written in Aramaic translation or in any language^h other than Hebrew, they are rescued from the fire on Shabbat. And this is a conclusive refutation of the opinion of Rav Huna, who states that these are not rescued. Rav Huna could have said to you: This *tanna* holds that sacred writings not written in Hebrew may not be read, whereas Rav Huna holds in accordance with the opinion of the *tanna* who holds that they may be read and therefore may be rescued. Come and hear another proof from that which was taught in a different *baraita*: Sacred writings that were written in Coptic, Egyptian; Median; *Ivrit*, i.e., ancient Hebrew script; Eilamitic; or Greek⁸ are rescued from the fire on Shabbat, even though they may not be read. This is a conclusive refutation of the opinion of Rav Huna, who holds that they are not rescued. Rav Huna could have said to you: This is a dispute between *tanna'im*, as it was taught in a *baraita*: If they were written in Aramaic translation or in any language other than Hebrew, one may rescue them from the fire on Shabbat. Rabbi Yosei says: One may not rescue them from the fire.

Rabbi Yosei said: There was an incident involving my father, Halafta, who went to the esteemed Rabban Gamliel of Yavne in Tiberias, where he found him sitting at the table of Yohanan HaNazuf and in his hand there was a translation of the book of Job, and he was reading from it. Yohanan said to Rabban Gamliel of Yavne: I remember Rabban Gamliel, your father's father, who was standing on top of a step on the Temple Mount. And they brought before him a translation of the book of Job, and he said to the builder: Bury this book under the course of bricks. When he heard of that incident, Rabban Gamliel of Yavne ordered that it be buried and he buried it.ⁿ Rabbi Yosei, son of Rabbi Yehuda, says that on the Temple Mount they overturned a large bowl of mortar on it. Rabbi Yehuda HaNasi said: There are two responses to this that prove that it did not happen: One, from where would they get mortar on the Temple Mount? Construction on the Temple Mount was performed with other materials, not with mortar. And furthermore, is it permitted to actively destroy even sacred writings that are not read, with one's hands? Rather, at the very least they leave them in a neglected place, where they are likely to decompose quickly, and they decay on their own. The Gemara seeks to clarify: Who are the *tanna'im* who dispute this *halakha* according to Rav Huna?

HALAKHA

If they were written in Aramaic translation or in any language – תרגומים תרגום או בכל לשון – Sacred writings written in any language must be rescued from fire on Shabbat. In contemporary times, when writing and printing the Oral Torah is permitted, all those texts are significant and

are rescued from a fire. The dispute between Rabbi Huna and Rabbi Hilda took place in an era when the Oral Law was not written, and if it was, it was prohibited to read or study these writings (*Tosafot*; *Rosh*; *Ran*; *Shulhan Arukh*, *Orach Hayyim* 334:12).

NOTES

Burial of the book of Job – גניית תרגום איוב: The translation of the book of Job was buried not because it was flawed; rather, because initially it was one of those matters that was supposed to remain unwritten. Writing it would be in viola-

tion of the decree prohibiting writing oral matters. Although it was not prohibited to translate Job orally or even to standardize that translation, writing it was only permitted much later.

אֵילִימָא תְנָא קְמָא דְרַבִּי יוֹסִי – וְדִלְמָא בְּהָא קְמִפְלִי, מִרְסָר: מִתְּנֻ לְקִירוֹת בְּהֵן, וּמִרְסָר: לֹא מִתְּנֻ לְקִירוֹת בְּהֵן. אֱלָא: רַבִּי יוֹסִי וְתַנָּא דְגִיפְטִית.

תְּנֻ רַבְנִי: הַבְּרוּכוֹת וְהַקְמִיעִין אֵף עַל פִּי שֵׁשׁ בְּהֵן אוֹתִיּוֹת שֶׁל שֵׁם, וּמִעֲנִיּוֹת הַרְבֵּה שֶׁבְּתוֹרָה – אֵין מִצִּילִין אוֹתָן מִפְּנֵי הַדְּלִיקָה, אֱלָא נִשְׂרָפִים בְּמִקּוֹמָן [הֵן וְאוֹפְרוֹתֵיהֶן]. מִכָּאן אָמְרוּ: כּוֹתְבֵי בְּרוּכוֹת בְּשׁוּרְפֵי תוֹרָה. מַעֲשֶׂה בְּאַחַד שְׁהִיָּה כּוֹתֵב בְּצִידָן, בָּאוּ וְהוֹדִיעוּ אוֹתוֹ רַבִּי יִשְׁמַעֲלֵאל, וְהֵלֵךְ רַבִּי יִשְׁמַעֲלֵאל לְבֻדְקוֹ. כְּשֶׁהִיָּה עוֹלָה בְּסוּלָם הָרְגִישׁ בּוֹ, נָטַל טוֹמוֹס שֶׁל בְּרוּכוֹת וְשָׁקַע בְּסִפְלָא שֶׁל מִים. וּבִלְשׁוֹן הַזֶּה אָמַר לוֹ רַבִּי יִשְׁמַעֲלֵאל: גְּדוֹל עוֹנֵשׁ הָאֲחֵרוֹן מִן הָרִאשׁוֹן.

בְּעָא מִינֵיהּ רִישׁ גְּלוּתָא מִרְבָּה בִּרְבֵּי הוֹנָא: הֵיוּ כְּתוּבִין בְּסֵם וּבְסִיקְרָא בְּקוֹמוֹס וּבְקִנְקִנְתוֹס בְּלִשׁוֹן הַקֹּדֶשׁ, מִצִּילִין אוֹתָן מִפְּנֵי הַדְּלִיקָה אוֹ אֵין מִצִּילִין? תִּיבְעִי לְמָאן דְּאָמַר "מִצִּילִין", תִּיבְעִי לְמָאן דְּאָמַר "אֵין מִצִּילִין". תִּיבְעִי לְמָאן דְּאָמַר "אֵין מִצִּילִין", הֵנִי מִלִּי – הֵיכָא דְּכִתְבִי תְּרִגוֹס וּבְכָל לִשׁוֹן, אֲבָל הֵכָא דְּכִתְבִי בְּלִשׁוֹן הַקֹּדֶשׁ – מִצִּילִין. אוֹ דִּילְמָא: אֲפִילוּ לְמָאן דְּאָמַר "מִצִּילִין" – הֵנִי מִלִּי – הֵיכָא דְּכִתְבִי בְּדִי, דְּמִיקְיִים. אֲבָל הֵכָא, בִּין דְּלֹא מִיקְיִים – לֹא? אָמַר לֵיהּ: אֵין מִצִּילִין. וְהָא רַב הַמְנוּאֵל תְּנָא "מִצִּילִין"! אָמַר לֵיהּ: אֵי תִנָּא – תִנָּא. מֵאֵי תִנָּא? אָמַר רַב אֲשִׁי, כְּדִתְנָא: אֵין בִּין סְפָרִים לְמִגִּילָה אֱלָא שְׁהִסְפָּרִים נְכִתְבִים בְּכָל לִשׁוֹן, וּמִגִּילָה עַד שְׁתֵּהָא כְּתוּבָה אִשְׁוּרִית, עַל הַסֵּפֶר וּבְדִי.

If we say it is the first *tanna* who disagrees with Rabbi Yosei, that is not necessarily so, and perhaps they are disagreeing about this: This Master, the first *tanna*, holds that books written in other languages may be read; and this Master, Rabbi Yosei, holds that they may not be read, and their dispute is unrelated to the dispute between Rav Huna and Rav Hisda. Rather, it is the dispute between Rabbi Yosei and the first *tanna*, who spoke about books written in Coptic. According to that *tanna*, even books that may not be read are rescued, whereas Rabbi Yosei holds that they are not rescued.

The Sages taught in a *baraita*: The blessings that are written and the amulets,^h even though there are the letters of the Name of God in them and matters that appear in the Torah are mentioned in them, they are not rescued from the fire; rather, they burn in their place, they and the names of God contained therein. From here the Sages said: Writers of blessings are like burners of Torah scrolls, as it is prohibited to rescue these texts from the fire on Shabbat even though it is likely that they will be destroyed. There was an incident involving one who was writing pages with blessings^h in Sidon. They came and informed Rabbi Yishmael of his actions, and Rabbi Yishmael went to examine him to determine if the report was true. When Rabbi Yishmael was ascending the ladder to confront him, the scribe sensed his presence, took a bundle [tomos]^l of blessings, and submerged it in a basin of water to conceal it from Rabbi Yishmael. And in these words Rabbi Yishmael said to him: The punishment for the latter action is greater than the punishment for the former. Although it is prohibited to write blessings, destroying them is a greater violation.

The Exilarch raised a dilemma before Rabba bar Rav Huna: If the sacred scrolls were written in yellow-tinged arsenic, or red paint, in gum, or in copper sulfate,^h types of ink which may not be used to write Torah scrolls; however, the scrolls were written properly in the holy tongue, does one rescue them from the fire on Shabbat or does one not rescue them? The Gemara adds: This dilemma is raised according to the one who said that one rescues sacred writings written in other languages; and this dilemma is raised according to the one who said that one does not rescue them. The Gemara elaborates. This dilemma is raised according to the one who said that one does not rescue them: Perhaps that applies specifically in a case where they are written in Aramaic translation and in any foreign language; however, here, where they are written in the holy tongue, one rescues them. Or perhaps even according to the one who said that one rescues them, that applies specifically in a case where they are written in ink that endures; however, here, since the script does not endure,ⁿ they are not rescued. Rabba bar Rav Huna said to him: One does not rescue them. The Exilarch said to him: Didn't Rav Hamnuna teach in a *baraita* that one saves them. Rabba bar Rav Huna said to him: If it was taught in a *baraita*, it was taught,ⁿ and I retract my statement. The Gemara asks: What is the *baraita* that was taught on this matter? Rav Ashi said, as it was taught in a *baraita*: The only difference between the books of the Bible and the Megilla of Esther is that the books are written in any language and are valid, and the Megilla is only valid if it is written in Assyrian script,^h the familiar square Hebrew script, on a parchment scroll, and in ink. Apparently, other sacred books need not be written in ink.

HALAKHA

And the amulets – וְהַקְמִיעִין: There is a difference of opinion with regard to rescuing amulets from a fire on Shabbat that were written for a sick person whose life is not in danger (*Mishna Berura*). Some authorities hold that it is prohibited to write amulets at all, and they are therefore not rescued, even in modern times (*Rashba*). Other commentaries assert that just as it was permitted to write blessings, so too were amulets permitted (*Tur*), and they are therefore rescued. Later authorities ruled in accordance with the first opinion (*Bah*; *Maharshah*; *Rambam Sefer Zemanim*, *Hilkhot Shabbat* 23:27; *Shulḥan Arukh*, *Orah Hayyim* 334:14).

Rescuing pages with blessings – הַצִּלָּת טוּפְסֵי בְּרוּכוֹת: In modern times, when it is permitted to write the Oral Torah, all sacred writings are rescued from the fire on Shabbat. Therefore, pages with the blessings that the Sages instituted for daily recitation are also rescued (*Rambam Sefer Zemanim*, *Hilkhot Shabbat* 23:27; *Shulḥan Arukh*, *Orah Hayyim* 334:12).

Scrolls that are written not with black ink – סְפָרִים הַכְּתוּבִים – שְׁלֹא בְּדִי: Sacred books in the Hebrew language, in Assyrian script (*Rambam*), even though they are not written with black ink, are rescued from fire on Shabbat (*Rambam Sefer Zemanim*, *Hilkhot Shabbat* 23:27; *Shulḥan Arukh*, *Orah Hayyim* 334:12).

The Megilla is only valid if it is written in Assyrian script – וּמִגִּילָה עַד שְׁתֵּהָא כְּתוּבָה אִשְׁוּרִית: A Megilla is only valid if it is written on parchment or hide that was treated with gallnuts in black ink, like a Torah scroll. If it was written with copper sulfate ink, it is valid after the fact (*Rambam Sefer Zemanim*, *Hilkhot Megilla* 2:9; *Shulḥan Arukh*, *Orah Hayyim* 691:1).

LANGUAGE

Bundle [tomos] – טוֹמוֹס: From the Greek τόμος, *tomos*, meaning part of a book, a tome, or a volume.

NOTES

Since the script does not endure – כִּין דְּלֹא מִיקְיִים: The Sages determined that writing with a quill and copper sulfate is a full-fledged act of writing on Shabbat, because it endures, as opposed to writing with fruit juice, which does not. Nevertheless, there is a distinction between the *halakhot* of Shabbat and the *halakhot* governing the writing of a Torah scroll. On Shabbat,

a significant labor is required, and writing that endures, even temporarily, meets that criterion. However, a Torah scroll must be written in a manner that ensures that the writing will endure for a long time (*Rashba*).

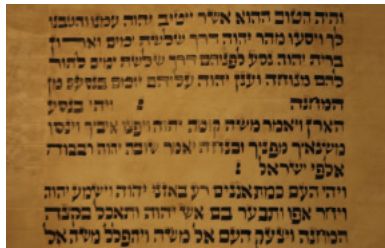
If it was taught, it was taught – אֵי תִנָּא תִנָּא: This expression

appears throughout the Talmud and usually indicates that a Sage who heard the *baraita* consequently reconsidered his own statement. Another explanation of this phrase is that the Sage is saying: I heard this *halakha* from my rabbi and I stand by it. However, other Sages are free to rule in accordance with the *baraita* (*Rashi* in tractate *Nidda*).

Which books are rescued from the fire on Shabbat – אלו ספרים מצילין מן הדליקה בשבת – A book that is an aggregate of eighty-five letters in complete words or that has the name of God written in it must be rescued from a fire on Shabbat. The *halakha* is in accordance with the opinion of Rav Huna, who was greater than Rav Hisda. In modern times, even translations of the Bible are rescued, as are all sacred books (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:28; *Shulḥan Arukh*, *Orah Hayyim* 334:12).

BACKGROUND

סימניות – Signs



Portion of "And when the Ark traveled" (Numbers 10:35) as it appears in a Torah scroll with signs before and after it

בעא מיניה רב הונא בר חלוב מרב נחמן: ספר תורה שאין בו ללקט שמונים וחמש אותיות, כגון פרשת ויהי בנסוע הארון מצילין אותה מפני הדליקה, או אין מצילין? אמר ליה: ותיבעי לך פרשת ויהי בנסוע הארון גופה! היכא דחסר פרשת ויהי בנסוע – לא קמבעיא לי, דכיון דאית ביה הזכרות, אף על גב דלית ביה שמונים וחמש אותיות – מצילין. כי קא מבעיא לי – ספר תורה שאין בו ללקט, מאי? אמר ליה: אין מצילין.

איתיביה: תרגום שכתבו מקרא, ומקרא שכתבו תרגום, וכתב עברית – מצילין מפני הדליקה; ואין צריך לומר תרגום שבעזרא ושבעדיאל ושבתורה. תרגום שבתורה מאי ניהו – יגר שהדוּתא – ואף על גב דלית בה שמונים וחמש אותיות, כי תנא ההיא – לה שלים.

איבעיא לה: הני שמונים וחמש אותיות, מכונסות או מפוזרות? רב הונא אמר: מכונסות. רב חסדא אמר: אפילו מפוזרות. מיתיבי: ספר תורה שבלה, אם יש בו ללקט שמונים וחמש אותיות, כגון פרשת ויהי בנסוע הארון – מצילין, ואם לאו – אין מצילין. תיובתא דרב הונא! תרגמה רב חסדא אליבא דרב הונא – בתיבות.

תנו רבנן: ויהי בנסוע הארון ויאמר משה פרשה זו עשה לה הקדוש ברוך הוא סימניות מלמעלה ולמטה, לומר

Rav Huna bar Ḥaluv raised a dilemma before Rav Nahman: With regard to a Torah scroll in which there is not enough to compile from it eighty-five complete letters written properly and in order, which is the minimum measure determined by the Sages for a Torah to maintain the sanctity of a Torah scroll, as in the portion of: "And when the Ark traveled" (Numbers 10:35–36), does one rescue it from the fire on Shabbat or does one not rescue it? Rav Nahman said to him: And raise a dilemma with regard to the portion of: "And when the Ark traveled," itself, i.e., does one rescue it on Shabbat if it is missing a single letter? Rav Huna bar Ḥaluv answered: In a case where the portion of: "And when the Ark traveled," is incomplete, it is not a dilemma for me, as since it contains names of God, even though there are not eighty-five letters in it, it is rescued. However, the case where it is a dilemma for me is with regard to a Torah scroll in which there is not enough to compile from it eighty-five complete letters; what is the ruling? Is it rescued on Shabbat or not?^H Rav Nahman said to him: It is not rescued.

Rav Huna bar Ḥaluv raised an objection to his opinion from that which we learned: A verse that is originally written in Aramaic translation that was written in the language of the Bible, and a verse that is originally written in the language of the Bible that was written in Aramaic translation, and a Torah that was written in ancient Hebrew script, one rescues them from the fire on Shabbat. And, needless to say, one saves the verses written in Aramaic translation that are in the book of Ezra, and that are in the book of Daniel, and that are in the Torah. What are the verses originally written in Aramaic translation in the Torah? It is the verse: "And Laban called it Yegar Sahaduta, and Jacob called it Gal Ed" (Genesis 31:47), and apparently, it is rescued, even though there are not eighty-five letters in it. Rav Nahman answered him: That is no proof, as when that *baraita* was taught, it was in a case where the Aramaic verse is counted to complete the total of eighty-five letters, but it is not independently significant.

A dilemma was raised before the Sages: With regard to these eighty-five letters that allow one to rescue a Torah scroll, is that specifically when they are juxtaposed, or even when they are scattered? Rav Huna said: Only when they are juxtaposed. Rav Hisda said: Even when they are scattered. The Gemara raises an objection from that which we learned: With regard to a Torah scroll that is worn, if there is enough to compile from it eighty-five complete letters as in the portion of: "And when the Ark traveled," one rescues it from the fire, and if not one does not rescue it. The term: To compile, indicates that the letters are not juxtaposed, and this is a conclusive refutation of the opinion of Rav Huna. Rav Hisda interpreted it according to the opinion of Rav Huna: Indeed, the *baraita* is referring to a case where the letters are scattered, but they are juxtaposed in the form of words. In that case, even Rav Huna agrees that it is a sacred book. Rav Huna and Rav Hisda only disagree in a case where isolated letters are scattered.

Apropos the portion: "And when the Ark traveled," the Gemara cites that which the Sages taught in a *baraita*. It is stated: "And when the Ark traveled and Moses proclaimed: Rise up, God, and Your enemies will scatter and those who hate You will flee from before You." And The Holy One, Blessed be He, made signs^B in the Torah for this portion, above and below, i.e., before and after it, in order to say

שאיין זה מקומה. רבי אומר: לא מן השם הוא זה, אלא מפני שספר חשוב הוא בפני עצמו.

that this is not its place, as the previous portion does not discuss the nation's travels. Rabbi Yehuda HaNasi says: It is not for that reason that signs were inserted. Rather, the signs are there because this portion is considered a book unto itself.

That they turned from after God – שָׁסְרוּ מֵאַחֲרֵי ה' – In *Tosafot* a different interpretation is cited: Rashi, in tractate *Ta'anit*, explains that the verse: "And they traveled from the mountain [mehar] of the Lord" (Numbers 10:33) can be interpreted: "And they traveled quickly [maher] from the Lord," meaning that they fled from God.

HALAKHA

Rescuing blank folios – הַצֵּלַת גִּילּוּיִם – Blank portions of a Torah scroll that were excised or portions of the parchment that were erased (*Magen Avraham*) are not rescued from the fire on Shabbat. This dilemma remained unresolved in the Gemara. Consequently, the Rif, the Rosh, and the Rambam all rule stringently in this regard (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:27; *Shulhan Arukh*, *Orah Hayyim* 334:20).

כִּמְאֵן אֵזְלָא הָא דְאִמְרֵי רַבִּי שְׁמוּאֵל בְּרַחֲמֵי רַבִּי יוֹנָתָן: "חֲצָבָה עֲמוּדֶיהָ שִׁבְעָה" – אֵלּוּ שִׁבְעָה סִפְרֵי תוֹרָה. כִּמְאֵן – בְּרַבִּי.

The Gemara asks: According to whose opinion is that which Rabbi Shmuel bar Nahman said that Rabbi Yonatan said, that with regard to the verse: "With wisdom she built her house, she carved its seven pillars" (Proverbs 9:1), these are the seven books of the Torah? According to whose opinion? It is according to the opinion of Rabbi Yehuda HaNasi, as by his count there are seven books of the Torah: Genesis; Exodus; Leviticus; Numbers until: "And when the Ark traveled"; the portion: "And when the Ark traveled," which is considered its own book; the remainder of Numbers; and Deuteronomy.

מֵאֵן תַּנָּא דְּפָלִיג עֲלֵיהּ דְּרַבִּי – רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל הוּא, דְּתַנָּא, רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אָמַר: עֲתִידָה פְּרָשָׁה זוֹ שְׁתִּיעֶקֶר מִכָּאֵן וְתִכְתֵּב בְּמִקְוֶמָהּ. וְלָמָּה כְּתָבָה כָּאֵן – כְּדִי לְהַפְסִיק בֵּין פּוּרְעָנוֹת רִאשׁוֹנָה לְפּוּרְעָנוֹת שְׁנִיָּה. פּוּרְעָנוֹת שְׁנִיָּה מֵאֵי הֵיא? וַיְהִי הָעַם כְּמִתְאַוֶּנִּים. פּוּרְעָנוֹת רִאשׁוֹנָה – וַיִּסְעוּ מִהָר ה'; וְאָמַר רַבִּי חֲמָא בְּרַבִּי חֲנִינָא: שָׁסְרוּ מֵאַחֲרֵי ה'. וְהֵיכָן מִקְוֶמָה? אָמַר רַב אֲשִׁי: בְּדִגְלִים.

Who is the tanna who disagrees with Rabbi Yehuda HaNasi? It is Rabban Shimon ben Gamliel. As it was taught in a *baraita* that Rabban Shimon ben Gamliel says: In the future, this portion will be uprooted from here, where it appears, and will be written in its proper place. And why was it written here, even though it discusses the travels of the children of Israel, and the portion before it does not? It is in order to demarcate between the first punishment and the second punishment. What is the second punishment that appears immediately afterward? It is the verse: "And the people complained wickedly in God's ears, and God heard and became angry, and the fire of God burned in them and it consumed the edge of the camp" (Numbers 11:1). What is the first punishment? It is the verse: "And they traveled from the mountain of God [mehar Hashem] for three days" (Numbers 10:33), and Rabbi Hama, son of Rabbi Hanina, said: That they turned from after God [me'aharei Hashem]ⁿ and hurriedly fled Mount Sinai. The Gemara asks: And if so, where is the proper place for this paragraph? Rav Ashi said: In the portion of the flags, where there is a description of the manner in which the Jewish people traveled through the desert.

אִיבַעֲיָא לָהּ: הַגִּלּוּיִן שֶׁל סֵפֶר תוֹרָה מְצִילִין אוֹתָן מִפְּנֵי הַדְּלִיקָה, אוֹ אֵין מְצִילִין אוֹתָן מִפְּנֵי הַדְּלִיקָה? תֵּא שְׁמַע: סֵפֶר תוֹרָה שְׁבָלָה, אִם יֵשׁ בּוֹ לְלֶקֶט שְׁמוֹנִים וְחֲמִשׁ אוֹתִיּוֹת, כְּגוֹן פְּרָשַׁת "וַיְהִי בְּנִסּוֹעַ הָאָרוֹן" – מְצִילִין, וְאִם לֹא – אֵין מְצִילִין. וְאִמְאִי? תִּיפּוֹק לִיָּה מִשּׁוּם גִּילּוּיִן דִּידִיהָ! בָּלָה שְׂאֵנִי.

A dilemma was raised before the Sages: With regard to the blank folios of parchment of a Torah scroll, does one rescue them from the fire on Shabbat, or does one not rescue them from the fire?^h Come and hear a resolution to this from that which we learned: With regard to a Torah scroll that is worn, if there is enough in it to compile eighty-five complete letters as in the portion of: "And when the Ark traveled," one rescues it from the fire, and if not one does not rescue it. If even the blank folios are rescued, why would one not rescue a Torah scroll with fewer than the requisite number of letters? Derive that this scroll may be rescued due to its blank folios. The Gemara answers: A Torah scroll that is worn is different, because at that point its sanctity is negated, and its blank folios are not sacred. Therefore, one may rescue the scroll only if it contains eighty-five letters.

תֵּא שְׁמַע: סֵפֶר תוֹרָה שְׁנִמְחָק, אִם יֵשׁ בּוֹ לְלֶקֶט שְׁמוֹנִים וְחֲמִשׁ אוֹתִיּוֹת, כְּגוֹן פְּרָשַׁת "וַיְהִי בְּנִסּוֹעַ הָאָרוֹן" – מְצִילִין, וְאִם לֹא – אֵין מְצִילִין. וְאִמְאִי? תִּיפּוֹק לִיָּה מִשּׁוּם גִּילּוּיִן דִּידִיהָ! מְקוֹם הַכְּתָב לֹא קָמִיבַעֲיָא לִי, דְּכִי קָדוֹשׁ – אֲגַב כְּתָב הוּא דְּקָדוֹשׁ, אֵזְלָא כְּתָב – אֵזְלָא לָהּ קְדוּשָׁתֶיהָ. כִּי קָמִיבַעֲיָא לִי – שֶׁל מַעֲלָה וְשֶׁל מַטָּה, שְׁבִין פְּרָשָׁה לְפָרָשָׁה, שְׁבִין דָּף לְדָף, שְׁבַתְחָלֶת הַסֵּפֶר שְׁבָסוּף הַסֵּפֶר. וְתִיפּוֹק לִיָּה מִשּׁוּם הֵהוּא! דְּגִיּוּ וְשָׂדִי.

Come and hear a different resolution from that which was taught in another *baraita*: With regard to a Torah scroll that was erased, if there is enough in it to compile eighty-five complete letters as in the portion of: "And when the Ark traveled," one rescues it from the fire, and if not, one does not rescue it. And why is that so? Derive that this scroll may be rescued due to its blank folios, as the erased section is surely no less significant than the blank folios of the scroll. The Gemara answers: That is not so. In a case where the place of the writing is erased it is not a dilemma for me, as it is sacred due to the writing. If the writing is gone, its sanctity is gone. When it is a dilemma for me is with regard to the blank portions that are above and below, that are between one section and another section, that are between one page and another page, that are at the beginning of the scroll, and that are at the end of the scroll. The Gemara asks again: Derive that this scroll may be rescued due to that area that is blank, whose sanctity remains. The Gemara replies: There, it is referring to a case where the blank area was cut and thrown out, and all that remains is the place of the writing.

Blank folios with regard to rendering hands ritually impure – **הַגְּלִיּוֹנִים לְעֵנֶן טוּמְאָת יָדִים** – The blank portions of a Torah scroll, like the scroll itself, render one's hands ritually impure, as the Sages deemed these spaces integral parts of the Torah scroll (Rambam *Sefer Tahara*, *Hilkhot She'ar Avot HaTumot* 9:6).

סִפְרֵי הֶרֶטִיקִים, אֶחָד מֵהֶם לֹא יִשְׁמָעוּ – The scrolls of heretics, one does not rescue – **הַמִּינִין אֵין מְצִילִין אוֹתָן**: Texts written by heretics and idolators are not sacred. They are burned along with the divine names written in them. Needless to say, they are not rescued from a fire on Shabbat (Rambam *Sefer HaMadda*, *Hilkhot Yesodei HaTorah* 6:8 and *Sefer Ahava*, *Hilkhot Tefillin UMezuza VeSefer Torah* 1:13; *Shulhan Arukh*, *Orah Hayyim* 334:21 and *Yoreh De'a* 281:1).

Entering a house of idolatry to save one's life – כְּנִיסָה לְבֵית עֲבוֹדָה זָרָה לְהַצִּיל עַצְמוֹ: It is permitted for a Jew to escape danger by entering a temple of idolatry. Some authorities state that when Jews are being persecuted, it is prohibited to do so (*Kol Bo*). This *halakha* is based on the statement of Rabbi Tarfon (*Shulhan Arukh*, *Yoreh De'a* 157:3 and in the comment of the Rema).

NOTES

Scrolls of heretics – סִפְרֵי הֶרֶטִיקִים: This category includes both Jewish sacred books written by heretics and sectarian writings. The latter contained verses from the Bible with the name of God (*Me'iri*).

Scrolls of heretics are like blank folios – סִפְרֵי הֶרֶטִיקִים כְּגִלְיוֹנִים: Even though these were written texts, the Sages likened them to blank folios of Torah scrolls, which are devoid of sanctity. Consequently, they are not rescued from destruction and one may even actively destroy them (*ge'onim*; Rashi).

To make peace...these who impose jealousy and hatred – **לַעֲשׂוֹת שְׁלוֹם...הַלְלוּ שְׂמִטָּלִין קְנָאָה וְאַיְבָה**: This statement refers to the Christians, who claimed that God was fed up with the Jewish people and chose the Christians to replace them as His people. This explains the expression: Who impose jealousy, and hatred, and conflict between the Jewish people and their Father in Heaven (Maharsha).

תָּא שָׁמַע: הַגְּלִיּוֹנִין שֶׁל מַעְלָה וְשֶׁל מַטָּה, שְׂבִין פְּרָשָׁה לְפָרָשָׁה, שְׂבִין דָּף לְדָף, שְׂבִיחַת חֵלֶת הַסֵּפֶר שְׂבִיחַת הַסֵּפֶר – מִטְמָאִין אֶת הַיָּדִים. דִּילְמָא – אֲגַב סֵפֶר תּוֹרָה שְׂאֵינִי.

תָּא שָׁמַע: הַגְּלִיּוֹנִין וְסִפְרֵי מִינִין אֵין מְצִילִין אוֹתָן מִפְּנֵי הַדְּלִיקָה, אֶלָּא נִשְׂרָפִין בְּמִקְוֵם הֵן וְאִבְרוּתֵיהֶן. מָאִי לָא – גְּלִיּוֹנִין דְּסֵפֶר תּוֹרָה? לָא, גְּלִיּוֹנִין דְּסִפְרֵי מִינִין. הַשְׂתָּא סִפְרֵי מִינִין גּוֹפִיָּהּ אֵין מְצִילִין, גְּלִיּוֹנִין מְבַעֲרָא! הֵכִי קָאָמַר: וְסִפְרֵי מִינִין הֵרִי הֵן בְּגִלְיוֹנִים.

גּוֹפָא: הַגְּלִיּוֹנִים וְסִפְרֵי מִינִין אֵין מְצִילִין אוֹתָם מִפְּנֵי הַדְּלִיקָה, רַבִּי יוֹסִי אוֹמַר: בַּחוּל קוֹדֵר אֶת הָאִבְרוּת שְׂבִיחַת וְגוֹנֵן, וְהַשָּׂאָר שׁוֹרֵפִין. אָמַר רַבִּי טְרָפוֹן: אֶקְפֹּחַ אֶת בְּנִי, שָׂאֵם יֵבֵאוּ לִי שְׂאֵנִי אֲשׁוּרָא אוֹתָם וְאֶת הָאִבְרוּת שְׂבִיחַת, שְׂאִפִּילוּ אֲדָם וְדָף אַחֲרָיו לְהוֹרְגוֹ, וְנַחֲשׁ רֶץ לְהַכִּישׁוֹ – נִכְנֵס לְבֵית עֲבוֹדָה זָרָה, וְאֵין נִכְנֵס לְבֵיתֵיהֶן שֶׁל אֱלֹהִים. שְׁהִלְלוּ מִכִּירִין וְכוּפְרִין, וְהִלְלוּ – אֵין מִכִּירִין וְכוּפְרִין. וְעֲלִיָּהֶן הִתְנוּב אוֹמַר "אַחֲרֵי הַדְּלָת הַמְּזוּזָה שְׂמַת וְכְרוֹנָךְ".

אָמַר רַבִּי יִשְׁמָעֵאל: קֵל וְחוֹמֶר, וּמָה לַעֲשׂוֹת שְׁלוֹם בֵּין אִישׁ לְאִשְׁתּוֹ אֲמָרָה תּוֹרָה: שְׂמִי שְׂנֵיכֶתָב בְּקִדּוּשָׁה יִמְחָה עַל הַמַּיִם. הִלְלוּ שְׂמִטָּלִין קְנָאָה וְאַיְבָה וְתַחֲרוּת בֵּין יִשְׂרָאֵל לְאַבִּיָּהֶן שְׂבִיחַת – עַל אַחַת כְּפָה וְכַמָּה, וְעֲלֵיהֶם אָמַר דָּוִד "הֲלֹא מִשְׁנֵאִיךָ ה' אֲשָׁנָא וּבִתְקוּמָתִיךָ אֲתַקּוּטְתָּ תְּכַלִּית שְׂנֵאָה שְׂנֵאָתִים לְאוֹיְבִים הֵיוּ לִי". וְכֵשׁ שְׂאִין מְצִילִין אוֹתָן מִפְּנֵי הַדְּלִיקָה, כִּךְ אֵין מְצִילִין אוֹתָן לֹא מִן הַמַּפּוֹלָת וְלֹא מִן הַמַּיִם וְלֹא מִדְּבַר הַמַּאֲבָדִין.

Come and hear a different resolution from what we learned in a mishna: The Sages decreed that the blank folios that are above and below, that are between one section and another section, that are between one page and another page, that are at the beginning of the scroll, and that are at the end of the scroll render the hands that touch them ritually impure.⁴ Apparently, the blank folios have the sanctity of a Torah scroll. The Gemara replies: That is not a proof, as perhaps when it is part of the Torah scroll, it is different, and in those circumstances the sanctity of the Torah extends to the blank portions. When they stand alone they have no sanctity.

Therefore, come and hear a different resolution from that which was taught in another *baraita*: With regard to the blank folios and the Torah scrolls of heretics,⁵ one does not rescue⁶ them from the fire; rather, they burn in their place, they and the names of God contained therein. What, is this not referring to the blank folios of a Torah scroll? The Gemara rejects this: No, it is referring to the blank folios of the scrolls of heretics. The Gemara is surprised at this: Now, with regard to the scrolls of heretics themselves, one does not rescue them; is it necessary to say that one does not rescue their blank folios? Rather, this is what it is saying: And the scrolls of heretics are like blank folios.⁷

Apropos the scrolls of heretics, the Gemara analyzes the matter itself. With regard to the blank folios and the Torah scrolls of the heretics, one does not rescue them from the fire. Rabbi Yosei says: During the week, one cuts the names of God contained therein and buries them, and burns the rest. Rabbi Tarfon said in the form of an oath: I will bury my sons if I fail to do the following, that if these books come into my possession I will burn them and the names contained therein. As even if a person is pursuing him with the intent to kill him, and a snake is hurrying to bite him, one enters a house of idolatry⁸ and does not enter the houses of these heretics. The reason is that these heretics are aware of the greatness of the Creator manifest in the Torah and its mitzvot, and nevertheless, they deny the existence of God; whereas these idolators are not aware, and that is the reason that they deny the existence of God. And with regard to the heretics, the verse says: "And behind the door and the doorpost you place your memory" (Isaiah 57:8). Although they remember the word of God, they treat it contemptuously, as if casting it behind the door.

Rabbi Yishmael said: The fact that the names of God in the scrolls of heretics may be burned can be derived through an *a fortiori* inference: Just as to make peace between a husband and his wife, the Torah says: My name that was written in sanctity shall be erased in the water in the framework of the ordeal of the *sota*; these, the heretics, who impose jealousy, and hatred,⁹ and conflict between the Jewish people and their Father in Heaven, all the more so it is proper to erase God's names because of them. And with regard to heretics, David said: "For I hate those who hate You, God, and I fight those who rise against You. I hate them with the utmost hatred, they have become enemies to me" (Psalms 139:21–22). And just as they, the scrolls of heretics, are not rescued from the fire, neither are they rescued from a rockslide, nor from water, nor from any other matter that destroys them.

BACKGROUND

Scrolls of heretics – סִפְרֵי הֶרֶטִיקִים: The heretics were members of various dissenting sects that existed during the time of the Mishna. The reference in this context is specifically to the Christian sects. Rabbeinu Hananel writes: The heretics who existed at that time had not yet developed the customs that they practice today. Rather, they were misguided. Some of them observed the Torah while

others did not, yet they all read it. Rabbeinu Hananel describes a period in the history of Christianity during which it was not yet a distinct religion. During that period, its believers had broken away from Judaism, but some of them still observed the Torah and its mitzvot. As a result, there were different attitudes toward them. This period lasted over one hundred years.

בֵּי אַבְדָּן – **בֵּי אֲבִידָן**: According to the tradition of the *ge'onim*, the house of Abidan was a well-known courtyard in which there were books of knowledge from all the nations. Scholars and wise men from all nations gathered there to discuss wisdom. The house of Nitzrefei served a similar purpose. However, it was also a temple for idol worship. Therefore, it was appropriate for Shmuel to attend meetings and discussions in the house of Abidan, which he considered as a forum for philosophical debates, but he would never enter the house of Nitzrefei, which was devoted to idolatry. There were other Sages who thought that the debates were problematic and dangerous, and it was preferable to refrain from participation in those forums.

LANGUAGE

בֵּי אַבְדָּן – **בֵּי אֲבִידָן**: The house of Abidan and the house of Nitzrefei **בֵּי נִצְרֵפִי**: These two names are difficult. Some commentaries think that the confusion in the Gemara is intentional. The house of Abidan may derive from the Iranian compound *bag-dān*, meaning container of the god, i.e., a temple. The meaning of the house of Nitzrefei is more elusive. It has been suggested that the term means house of burning, from the Semitic root *srf*, and refers to a Zoroastrian fire temple. However, it now seems more likely that it originated from a Parthian word meaning Nazarene, an ancient name for Christians, and refers to some sort of Christian church.

פִּילֹסוֹפָא – **פִּילֹסוֹפָא**: From the Greek *φιλόσοφος*, *philosophos*, meaning lover of wisdom. It was used to describe scholars who studied science and philosophy.

NOTES

אֵינִי לֵאמֹר לִי שְׂנָא דְדִּהְבָּא – She gave him a golden lamp – The Maharsha explains that Rabbi Eliezer and Imma Shalom did not actually bribe the philosopher. They merely showed him items that would have been appropriate as bribes. They did not actually give him anything.

HALAKHA

Concluded the regular weekly discourse with Writings – **פְּסָקֵי סִידְרָא בְּכַתוּבִים**: The Sages issued a decree prohibiting to read the books of the Writings on Shabbat during the time of a generally attended regular lecture in the study hall. This was intended to prevent absence from the study hall (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:19).

Yosef bar Hanin raised a dilemma before Rabbi Abbahu: With regard to these books of the house of Abidan, does one rescue them from the fire or does one not rescue them? There were sacred Jewish texts in that house, which were used in debates and discussions on matters of faith. Rabbi Abbahu did not give him a clear answer but said yes and no, and the matter was uncertain to him. Rav would not go to the house of Abidan⁸ for conversation, and all the more so he would not go to the house of Nitzrefei,¹ the Persian fire-temple. Shmuel, to the house of Nitzrefei he did not go, but to the house of Abidan he did go. The gentile scholars said to Rava: Why did you not come to the house of Abidan? He evaded their question with an excuse and said to them: There is a certain palm tree on the road, and that makes the path difficult for me. They said to him: We will uproot it. He said to them: Nevertheless, the resulting pit in its place will be difficult for me. Mar bar Yosef said: I am one of them, we are friends, and I do not fear them. Still, one time he went and argued with them and they sought to endanger his life. Rabbi Meir would call the Christian writing, the Evangelion, the wicked folio [*aven gilyon*]; Rabbi Yohanan called it the sinful folio [*avon gilyon*].

The Gemara relates: Imma Shalom, the wife of Rabbi Eliezer, was Rabban Gamliel's sister. There was a Christian philosopher [*pilosofa*]¹ in their neighborhood

אִימָא שְׁלֹם דְּבִיתָהּ דְּרַבִּי אֱלִיעֶזֶר
אֲחֵיתָהּ דְּרַבָּן גַּמְלִיאֵל הָוְאִי הָיָה הָהוּא
פִּילֹסוֹפָא בְּשַׁבְּבוּתָהּ

Perek XVI

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דְּהוּה שְׁקִיל שְׂמָא דְּלֵא מִקְבֵּל שְׁוֹחַדָּא.
בְּעוּ לְאַחֲזוּבֵי בֵּיהּ; אֵעִיילָא לִיה שְׂנָא
דְּדִּהְבָּא. וְאִזְוֹל לְקַמֵּיהּ אֲמַרָה לִיה:
בְּעִנָּא דְּנִפְלְגִי לִי בְּנִכְסֵי דְּבִי וְשִׁי אֲמַר
לָהּ: פְּלוּגוּ. אֲמַר לִיה, כְּתִיב לָן: בְּמִקּוֹם
בְּרָא בְּרֵתָא לֹא תִירוּת. אֲמַר לִיה: מִן
וִימָא דְּגִלְתִּין מֵאַרְעֵכוֹן אֵיתְנַנְטְלִית
אוֹרִייתָא דְּמִשְׁחָה, וְאִיתְהַבֵּית עוֹן גִּלְיוֹן.
וְכִתְבִּיב בֵּיהּ: בְּרָא וּבְרֵתָא כְּחָדָא יִרְתוּן.

לְמַחַר הָדָר עֵייל לִיה אִיהוּ חֲמָרָא
לֹבָא. אֲמַר לָהּ: שְׁפִילִית לְסִיפִיה דְּעוֹן
גִּלְיוֹן וְכִתְבִּיב בֵּיהּ: אָנָּא לֹא לְמִפְחָת מִן
אוֹרִייתָא דְּמִשְׁחָה אֲתִיתִי [וְלֹא] לְאוֹסְפִי
עַל אוֹרִייתָא דְּמִשְׁחָה אֲתִיתִי. וְכִתְבִּיב בֵּיהּ:
בְּמִקּוֹם בְּרָא בְּרֵתָא לֹא תִירוּת. אֲמַרָה
לִיה: נְהוּר נְהוּרִיד כְּשִׁרְגָא! אֲמַר לִיה רַבָּן
גַּמְלִיאֵל: אֲתָא חֲמָרָא וּבִטְש לְשִׁרְגָא.

"וּמִפְנֵי מָה אֵין קוֹרִין כּו'". אֲמַר רַב: לֹא
שָׁנוּ אֶלָּא בּוֹמֵן בֵּית הַמְדֻרָּשׁ, אֲבָל שְׁלֵא
בּוֹמֵן בֵּית הַמְדֻרָּשׁ – קוֹרִין. וְשִׁמּוּאֵל
אָמַר: אֶפְלוּ שְׁלֵא בּוֹמֵן בֵּית הַמְדֻרָּשׁ
אֵין קוֹרִין. אֵינִי! וְהָא נְהַרְדְּעָא אֲתִירָה
דְּשִׁמּוּאֵל הָיָה, וּבְנִהְרְדְּעָא פְּסָקֵי סִידְרָא
בְּכַתוּבִים בְּמִנְחָתָא דְּשַׁבְּתָא: אֵלָּא, אֵי
אִיתְמַר הָכִי אִיתְמַר; אֲמַר רַב: לֹא שָׁנוּ
אֶלָּא בְּמִקּוֹם בֵּית הַמְדֻרָּשׁ, אֲבָל שְׁלֵא
בְּמִקּוֹם בֵּית הַמְדֻרָּשׁ – קוֹרִין.

who disseminated about himself the reputation that he does not accept bribes. They wanted to mock him and reveal his true nature. She privately gave him a golden lamp,ⁿ and she and her brother came before him, approaching him as if they were seeking judgment. She said to the philosopher: I want to share in the inheritance of my father's estate. He said to them: Divide it. Rabban Gamliel said to him: It is written in our Torah: In a situation where there is a son, the daughter does not inherit. The philosopher said to him: Since the day you were exiled from your land, the Torah of Moses was taken away and the *avon gilyon* was given in its place. It is written in the *avon gilyon*: A son and a daughter shall inherit alike.

The next day Rabban Gamliel brought the philosopher a Libyan donkey. Afterward, Rabban Gamliel and his sister came before the philosopher for a judgment. He said to them: I proceeded to the end of the *avon gilyon*, and it is written: I, *avon gilyon*, did not come to subtract from the Torah of Moses, and I did not come to add to the Torah of Moses. And it is written there: In a situation where there is a son, the daughter does not inherit. She said to him: May your light shine like a lamp, alluding to the lamp she had given him. Rabban Gamliel said to him: The donkey came and kicked the lamp, thereby revealing the entire episode.

We learned in the mishna: And why does one not read the Writings on Shabbat? Due to suspension of Torah study in the study hall. Rav said: They only taught that it is prohibited to read from the Writings on Shabbat during the hours of study in the study hall; but when it is not during the hours of study in the study hall, one may read them. And Shmuel said: Even when it is not the hours of study in the study hall one may not read from the Writings on Shabbat. The Gemara asks: Is that so? Wasn't Neharde'a Shmuel's place where he was the rabbi of the town, and in Neharde'a they concluded their regular weekly discourse with Writingsⁿ on Shabbat afternoon. Rather, if a dispute was stated in this matter, it was stated as follows: Rav said: It was only taught that there is a prohibition in a place where there is a study hall nearby that people can attend; but not in a place where there is a study hall, one may read Writings.

One may rescue the casing of a Torah scroll – מצילין תיק הספר – One may rescue the casing of a Torah scroll and the casing of other sacred writings from a fire on Shabbat, along with the scroll encased therein. The casing of phylacteries may be rescued along with the phylacteries. Doing so is permitted even if there is money in the casing (Rambam *Sefer Zemanim, Hilkhos Shabbat* 23:28; *Shulhan Arukh, Oraḥ Hayyim* 334:15).

One flays the Paschal lamb – מפשיטין את הפסח: If the fourteenth of Nissan occurs on Shabbat, the Paschal lamb is sacrificed just as it would be on a weekday. Consequently, the entire hide of the lamb is flayed in same manner as it is done on a weekday. The *halakha* is in accordance with the majority opinion (Rambam *Sefer Korbanot, Hilkhos Korban Pesah* 1:16).

ושמואל אומר: בין במקום בית המדרש בין שלא במקום בית המדרש, בזמן בית המדרש – אין קורין, שלא בזמן בית המדרש – קורין. ואזלא שמואל לטעמיה, דבגנהרדא פסקי סידרא דכתובים במנחתא דשבתא.

רב אשי אומר: לעולם כדאמרן מעיקרא, ושמואל כרבי נחמיה. דתנא: אף על פי שאמרנו כתבי הקדש אין קורין בהן – אבל שוין בהן ודורשין בהן, נגדך לפסוק – מביא ורואה בו. אומר רבי נחמיה: מפני מה אומר: כתבי הקדש אין קורין בהן – כדי שיאמרו: בכתבי הקדש אין קורין, וכל שכן בשטרין הדיוטות.

מתני' מצילין תיק הספר עם הספר. ותיק התפילין עם התפילין, ואף על פי שיש בתוכן מעות. ולהיכן מצילין אותן? למבוי שאינו מפולש, בן בתיא אומר: אף למפולש.

גמ' תנו רבנן: ארבעה עשר שחל להיות בשבת מפשיטין את הפסח עד החזה, דברי רבי ישמעאל בנו של רבי יוחנן בן ברוקה, וחכמים אומרים: מפשיטין את כולו. בשלמא לרבי ישמעאל בנו של רבי יוחנן בן ברוקה – דהא איתעביד ליה צורך גבוה. אלא לרבנן – מאי טעמא? אומר רבה בר בר חנה אומר רבי יוחנן: דאמר קרא "כל פעל ה' למענהו". והכא, מאי "למענהו" איכא? רב יוסף אומר: שלא יסרינהו. רבא אומר: שלא יהו קדשי שמים מושללין בגבולה.

And Shmuel said: Whether it is in the place of the study hall or it is not the place of the study hall, one may not read anywhere when it is during the hours of study in the study hall; but when it is not during the hours of study in the study hall, one may read. And Shmuel follows his line of reasoning stated elsewhere, as in *Neharde'a* they would conclude their studies with Writings on Shabbat afternoon.

Rav Ashi said: Actually, the dispute is as we stated initially, and Shmuel said what he said in accordance with the opinion of Rabbi Nehemya. As it was taught in a *baraita*: Although the Sages said with regard to sacred writings that they may not be read on Shabbat, one may study the midrash on them and teach them before the congregation; if one requires a verse that is written in the Writings, he brings a book and looks in it. Rabbi Nehemya said: Why did they say that sacred writings are not read^N on Shabbat? So that people will say: Sacred writings may not be read, all the more so that is the case with ordinary documents, i.e., contracts and letters. If so, according to Rabbi Nehemya, reading any sacred writings on Shabbat is prohibited so that people will refrain from reading non-sacred documents on Shabbat. It was not prohibited to encourage attendance the study hall. Shmuel himself does not hold in accordance with the opinion of Rabbi Nehemya.

MISHNA One may rescue the casing of a Torah scroll^H from a fire on Shabbat together with the Torah scroll, and the casing of phylacteries along with the phylacteries, even if they have money inside them.^N And to where may one rescue them? Into an alley that is closed, which, if it is surrounded on three sides, is considered to be a private domain by Torah law. Ben Beteira says: Even into an open alley.

GEMARA Apropos the mishna, the Gemara cites that which the Sages taught in a *baraita*: If the fourteenth of Nissan occurs on Shabbat, and the Paschal lamb is offered but not roasted until Shabbat ends, one flays the Paschal lamb^{NH} up to the breast to enable removal of the parts of the animal that are offered on the altar on Shabbat. One flays the rest of the animal after Shabbat. Further skinning is only to facilitate eating the animal, therefore, it does not override Shabbat; this is the statement of Rabbi Yishmael, son of Rabbi Yohanan ben Beroka. And the Rabbis say: One flays it in its entirety. The Gemara asks: Granted, according to the opinion of Rabbi Yishmael, son of Rabbi Yohanan ben Beroka, who said one may flay only part of the animal, the *halakha* is understandable. Since it has already been used for its divine purpose of having its blood sprinkled on the altar, the animal no longer should be flayed. But according to the Rabbis, what is the reason for their opinion? Rabba bar bar Hana said that Rabbi Yohanan said: The verse states, "All that the Lord has made is for His sake" (Proverbs 16:4), meaning that a prohibited action is only permitted if its performance honors God. The Gemara asks: And here, what manifestation of for His sake is there in flaying the remaining hide from the Paschal lamb? Rav Yosef said: The Rabbis permitted removing the entire hide so that the sacrifice will not putrefy. Rava said: The Rabbis permitted removing the entire hide so that the sacred sacrifices will not be left in disgrace like a half-stripped animal carcass left unattended.

NOTES

Reading sacred writings – קריאה בכתבי הקודש: There were different customs in different communities for the period following the afternoon prayer on Shabbat. In some locations, the Talmud was not studied because Moses died at that hour of the day. When a Sage dies, regular yeshiva study is suspended in his honor. In other communities, only the recitation of tractate *Avot* was permitted.

Even if they have money inside them – ואף על פי שיש בתוכן מעות: The problem with money in this context is not the prohibition of moving objects that are set-aside. Rather, the concern is that, when rescuing the object on Shabbat, one might carry it to a prohibited domain or four cubits in the public domain (Ramban).

One flays the Paschal lamb – מפשיטין את הפסח: In *Tosafot*, the question is raised: Why did the Sages specifically choose the Paschal lamb as in the focus of this discussion? The same issue could have been raised with regard to all communal offerings on Shabbat. Several answers were proposed. First, Paschal lambs were so numerous that they created an impression that they were animal carcasses cast aside. Second, since the meat of the Paschal lamb was to be eaten, the Sages permitted flaying its hide. Another possible answer is that on the contrary: Even though the Paschal lamb is an individual offering sacrificed on Shabbat, the Sages permitted flaying it as they did with communal offerings.

Hide together with the flesh – עור אגב בשר: The Ramban explains that this discussion is based on the assumption that the hide may be moved because it could be used as a cushion on Shabbat. However, the flesh may not be moved since it may be eaten only that night. Although our version of the text does not exactly correspond to this interpretation, it helps to explain the subsequent discussion in the Gemara.

מאי בינייהו? איכא בינייהו: דמנח אפתורא דדהבא, אי נמי – יומא דאסתנא. ורבי ישמעאל בנו של רבי יוחנן בן ברוקה, האי "פעל ה' למענהו" מאי עביד ליה? שלא יוציא את האימורין קודם הפשטת העור. מאי טעמא? אמר רב הונא בריה דרב נתן: משום נימין.

The Gemara asks: **What is the practical difference between them?** The Gemara answers: **There is a practical difference between them when the Paschal lamb is laid on a golden table.** In this case, there is indeed a concern that the carcass will putrefy, although there is no element of disgrace. **Alternatively**, there is a practical difference on a day with a cold northern wind. In this case, there is no concern that it will putrefy but there is a concern of disgracing the sacrifice. The Gemara asks: **And what does Rabbi Yishmael, son of Rabbi Yohanan ben Beroka, do with the verse, "All that the Lord has made is for His sake"?** The Gemara answers: He uses it to permit removing part of the hide, as if it was **not** for this verse, it would have been possible to **remove the sacrificial parts** offered on the altar **before removing the hide** by puncturing the hide of the animal and removing the fats through the opening. The Gemara asks: **What is the reason that the Torah prohibited doing so?** Rav Huna, son of Rav Natan, said: **Because of the hairs**, so that they do not become entangled in the sacrificial parts and distort them.

אמר רב חסדא אמר מר עוקבא: מאי אהדרו ליה תבריא לרבי ישמעאל בנו של רבי יוחנן בן ברוקה – הכי קאמרי ליה: אם מצילין תיק הספר עם הספר – לא נפשיט את הפסח מעורו? מי דמי? התם – טלטול, הקא – מלאכה! אמר רב אשי: בתרתי פליגי, פליגי בטלטול, ופליגי במלאכה. והכי קאמרי ליה: אם מצילין תיק הספר עם הספר – לא נטילטל עור אגב בשר?

Rav Hisda said that Mar Ukva said: How did the members of the group respond to Rabbi Yishmael, son of Rabbi Yohanan ben Beroka? This is what they said to him: If one may save the casing of a Torah scroll along with the Torah scroll, why may one not strip the Paschal lamb of its skin? Here too, in the case of skinning the Pascal lamb, once part of the action is permitted one should be able to perform the entire act. The Gemara is surprised at this: **Are they comparable?** There, in rescuing the casing of the scroll, only moving is involved, which is prohibited by rabbinic law; whereas here, in the case of the Paschal lamb, the act of flaying is a **prohibited labor** by Torah law. Rav Ashi said: They are disagreeing with regard to two issues: They disagree with regard to moving the hide along with the flesh, and they disagree with regard to the labor of flaying the animal. And this is what they said to him: If one may rescue the casing of the Torah scroll along with the Torah scroll, will we not move the hide of the Paschal lamb **together with the flesh**ⁿ of the sacrifice? The sacrifice should be moved with its skin so it does not putrefy.

Perek XVI

Daf 117 Amud a

מי דמי? התם – נעשה בסיס לדבר המותר, הכא – נעשה בסיס לדבר האסור. אלא, הכי קאמרי ליה: אם מצילין תיק ספר עם הספר, ואף על פי שיש בתוכו מעות, לא נטילטל עור אגב בשר? מי דמי? התם – נעשה בסיס לדבר האסור ולדבר המותר, הכא – בולו נעשה בסיס לדבר האסור! אלא, הכי קאמרי ליה: אם מביאין תיק שיש בתוכו מעות מעלמא להציל בו ספר תורה, לא נטילטל עור אגב בשר?

The Gemara asks: **Are they comparable?** There, with regard to the Torah scroll, the casing is a **base for a permitted object**, i.e., the scroll itself, which may be moved on Shabbat; whereas here, with regard to the hide of the Paschal lamb, the skin is a **base for a prohibited object**,ⁿ i.e., the flesh of the sacrifice, which may not be moved until nightfall because it may not be eaten until night. Rather, this is what they said to him: If one may save the casing of the Torah scroll along with the scroll, even if there is money inside it, why then may one not move the hide together with the flesh? The Gemara asks: **Are they comparable?** There, with regard to the Torah scroll, the casing becomes a **base for a prohibited object and a permitted object**; whereas here, with regard to the hide, it is entirely a **base for a prohibited object**. Rather, this is what they said to him: If one may bring a casing that has money inside it from outside in order to save a Torah scroll in it, why may one not move the hide together with the flesh?

Base for a prohibited object – בסיס לדבר האסור: The Sages permitted moving the flesh of the Paschal lamb on Shabbat because deference to God supersedes the prohibition against moving it. Nevertheless, in principle, the flesh of the sacrifice is still considered to be a prohibited object vis-à-vis the hide which is its base (Rabbi Elazar Moshe Horovitz).

NOTES

In accordance with the opinion of Rabbi Eliezer – אֵלִיעֶזֶר דְּרַבִּי אֵלִיעֶזֶר: Why did Rav Hisda interpret the mishna contrary to the accepted ruling, in accordance with the rejected opinion of Rabbi Eliezer? The commentaries explain that there are reasons that render difficult establishing the mishna in accordance with the opinion of ben Beteira, who permitted carrying the Torah scroll casings even in an open alley. Therefore, the Sages were forced to establish the mishna in accordance with the opinion of Rabbi Eliezer, even though that is not the *halakha* (Rashba; *Tosafot*).

Let us rescue food and drinks by carrying them there – נִצֵּל לְתוֹכוֹ אוֹכְלִין וּמִשְׁקִין: Why did Rabba ignore the question that he himself raised (see *Tosafot*)? The Ramban answers that Rabba explains that even according to Rabbi Yehuda, two partitions alone do not create a full-fledged private domain because it remains similar to a public domain. Consequently, it is not permitted to rescue everything into that area (see Rashba).

וְהִיא גּוֹפָה מִנֶּלֶךְ? אֵלִיעֶזֶר דְּמַדְהִיכָא דְּאִית בֵּיהּ לָא שְׂדֵי לְהוּ – אֵיתוּנִי נִמְי מִיֵּיתוּנִי, מִי דְּמִי? הֵתֵם – אִדְהִכִּי וְהִכִּי נִפְלָה דְּלִיקָה, הֵכָא – אִדְהִכָּא וְהִכִּי לִישְׁדִּינִן! אֶלָּא אָמַר מַר בַּר רַב אֲשִׁי: לְעוֹלָם כְּדָאֲמַרִּין מַעֲיָקְרָא, וְדָקָא קִשְׁיָא לָךְ "הֵכָא טְלִטּוּל וְהֵכָא מְלָאכָה" – כְּגוֹן דְּלָא קִבְּעִי לִיהּ לְעוֹר.

The Gemara asks: **And from where do we derive this *halakha* itself?** As it is not stated in the mishna, from where do we derive that it is permitted on Shabbat to bring a casing containing money from the outside in order to save a Torah scroll? **If you say that from the fact that in a situation where the casing has money in it one does not throw it away but brings it out with the casing**, when the casing is outside and has money in it, one may also **bring the money along with it; is it comparable?** **There**, with regard to the Torah scroll's casing with money inside, if one carries in order to empty the money from the case, **in the meantime the fire might catch the Torah scroll and burn it**; whereas **here**, with regard to bringing in the casing, **in the meantime he could have thrown it away**. **Rather, Mar bar Rav Ashi said: Actually, it is as we said initially.** The Sages equated carrying the Torah casing with flaying the hide of the Paschal lamb. **And as for what was difficult for you**, that **here**, with regard to the Torah casing, **moving alone is involved**, whereas **here**, with regard to a Paschal lamb, a prohibited **labor** is involved, it can be explained as referring to a case **where one does not need the hide** of the Paschal lamb. Therefore, he is exempt.

וְהָא אֲבֵי וְרַבָּא דְּאֲמַרִּי תְּרוּיָהּ: מוֹדָה רַבִּי שְׁמַעוֹן בְּפִסְקִי רִישִׁיהּ וְלֹא יָמוּת! דְּשָׁקִיל לִיהּ בְּבִרּוֹ.

The Gemara asks: **But Abaye and Rava both said: Rabbi Shimon concedes in cases categorized as cut off its head and will it not die**, i.e., an action with an inevitable consequence. When an action has an inevitable consequence, even Rabbi Shimon, who normally exempts a person for performing an action with an unintended consequence, maintains the one is liable. **Rather, we must say that one flays it strip by strip**, and thereby he does not benefit from the hide. It therefore does not constitute the prohibited labor of stripping the hide.

"וְלִהְיוֹן מִצִּילִין אוֹתָן וְכוּ'". הִכִּי דְּמִי מְפֻלֵּשׁ, הִכִּי דְּמִי שְׂאִינוּ מְפֻלֵּשׁ? אָמַר רַב חֲסִידָא: שְׁלֹשׁ מַחֲיצוֹת וּשְׁנֵי לְחָיִין – זֶהוּ מְבֹי שְׂאִינוּ מְפֻלֵּשׁ, שְׁלֹשׁ מַחֲיצוֹת וְלָחִי אֶחָד – זֶהוּ מְבֹי הַמְּפֻלֵּשׁ. וְתְרוּיָהּ אֵלִיעֶזֶר דְּרַבִּי אֵלִיעֶזֶר, דִּתְנִין: הַכָּשֶׁר מְבֹי, בֵּית שְׁמַאי אוֹמְרִים: לָחִי וְקוֹרָה, וּבֵית הִלֵּל אוֹמְרִים: אוֹ לָחִי אוֹ קוֹרָה, רַבִּי אֵלִיעֶזֶר אוֹמֵר: שְׁנֵי לְחָיִים.

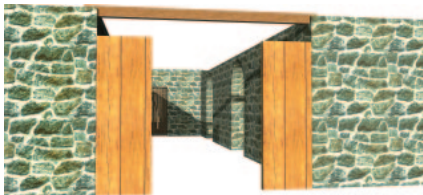
We learned in the mishna: **And to where may one rescue them?** Into an alley that is closed, which, if it is surrounded on three sides, is considered to be a private domain by Torah law. Ben Beteira says: Even into an open alley. The Gemara asks: **What are the circumstances of an alley that is open**, and **what are the circumstances of an alley that is not open?** **Rav Hisda said:** An alley that has **three walls and two posts** at its entrance is an alley that is **not open**; one that has **three walls and one post** is an alley that is **open**. **And they both**, the first *tanna* and ben Beteira, disagree in the mishna in accordance with the opinion of Rabbi Eliezer,^N as we learned in a mishna: For **preparation of an alley** to permit carrying within it on Shabbat, **Beit Shammai say** the alley must have a **post** on the side of the entrance and a **beam** over the entrance. **And Beit Hillel say: Either a post or a beam^{BH}** is sufficient. **Rabbi Eliezer says:** In order to permit carrying, **two posts** are required.

אָמַר לִיהּ רַבָּא: שְׁלֹשׁ מַחֲיצוֹת וְלָחִי אֶחָד מְפֻלֵּשׁ קְרִית לִיהּ? וְעוֹד, לְרַבִּנָּן נִצֵּל לְתוֹכוֹ אוֹכְלִין וּמִשְׁקִין! אֶלָּא אָמַר רַבָּה: שְׁתֵּי מַחֲיצוֹת וּשְׁנֵי לְחָיִין – זֶהוּ מְבֹי שְׂאִינוּ מְפֻלֵּשׁ, שְׁתֵּי מַחֲיצוֹת וְלָחִי אֶחָד – זֶהוּ מְבֹי הַמְּפֻלֵּשׁ.

Rabba said to him: **Did you call an alley that has three walls and one post open?** Even if Rabbi Eliezer does not permit carrying there, it is still not considered to be open but closed. **And furthermore, according to the Rabbis**, if this is so, **let us rescue food and drinks by carrying them there^N** as well. Since the Sages only permitted carrying in an alley that is not open, and because, according to all opinions, it is permitted to carry in a closed alley, one should also be allowed to save food and water, and not only a Torah scroll, by carrying them there. **Rather, Rabba said:** An alley that has **two walls and two posts** at both entrances to the alley is an alley that is **not open**. If it has **two walls and one post**, it is an alley that is **open**.

BACKGROUND

A beam and posts – קוֹרָה וְלָחִיִּים: Pictured is an alleyway that has sideposts on either side of the entrance. These are two protrusions that serve as a symbolic partition. The picture also shows a crossbeam over the entrance to the alleyway.



Alleyway with two sideposts and a crossbeam

HALAKHA

Preparation of an alley. ...either a post or a beam – הַכָּשֶׁר מְבֹי: It is permitted to carry inside an alleyway surrounded by three walls with the fourth side open, provided one places a sidepost at its entrance or a crossbeam above the entrance to

the alleyway, in accordance with the opinion of Beit Hillel. A post is defined as any object of any width that is at least ten large handbreadths high (Rabbi Akiva Eiger; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 17:2; *Shulhan Arukh*, *Orach Hayyim* 363:3, 14).

וּתְרוּיָהוּ אֲלִיבָא דְרַבִּי יְהוּדָה, דְּתַנָּא: יֵתֵר עַל כֵּן אָמַר רַבִּי יְהוּדָה: מִי שֵׁשׁ לוֹ שְׁנֵי בָתִּים בְּשֵׁנֵי צַדֵּי רִשּׁוֹת הָרֵבִים עוֹשֶׂה לְחִי מִכֵּן וְלְחִי מִכֵּן, אוֹ קוֹרֶה מִכֵּן וְקוֹרֶה מִכֵּן – וְנוֹשֵׂא וְנוֹתֵן בְּאַמְצַע. אָמְרוּ לוֹ: אֵין מְעַרְבִין רִשּׁוֹת הָרֵבִים בִּכְךָ.

אָמַר לִיה אַבְיִי: לְדִידֶךָ נָמִי, לְרַבֵּן נָצִיל לְתוֹכוֹ אוֹכְלִין וּמִשְׁקִין!

And both of them hold in accordance with the opinion of Rabbi Yehuda. As it was taught in a *baraita*: Furthermore,^N Rabbi Yehuda said: One who has two houses opposite each other on two sides of the public domain, if he chooses, he may create a private domain for himself in the area of the public domain. He may place a ten-handbreadth high post from here, perpendicular to the public domain. This creates a symbolic wall which, in the *halakhot* of alleyways, has the legal status of a wall. And he may place an additional post from here, on the other side, and that has the same legal status as if he closed the public domain on all of its sides. Or, he can implement a different solution appropriate for alleyways by placing a beam extending from here, from one end of one house, to the end of the house opposite it. This creates a symbolic partition across the width of the street. And he may place a beam extending from here, from the other side of the house. According to Rabbi Yehuda, in that way, one is permitted to carry objects and place them in the area between the symbolic partitions, as he would in a private domain. The Rabbis said to him: One may not establish an *eiruv* in the public domain in that way.

Abaye said to Rabba: According to your opinion too, according to the opinion of the Rabbis cited in the mishna who agree with Rabbi Yehuda and permit carrying in an alley that is closed, let us also save food and drinks by carrying them there.

NOTES

Furthermore – יֵתֵר עַל כֵּן: In the same *baraita*, Rabbi Yehuda speaks of a case in which there are two houses on opposite sides of the public domain, and their upper floors extend over the public domain and connect, rendering the area beneath them a private domain. Rabbi Yehuda then adds that even in a case where there are no building extensions overhead, the addition of a post and a beam can also transform that area into a private domain. Rabbi Yehuda's rationale is that by Torah law an area becomes a private domain with only two walls, and the post and beam are only placed there as a conspicuous indication that the area is indeed a private domain (Rashi).

Perek XVI

Daf 117 Amud b

אָלָא אָמַר רַב אֲשִׁי: שְׁלֹשׁ מַחֲצוֹת וְלֹחִי אֶחָד – זֶה מְבֹי שְׂאִינוּ מְפוּלֵשׁ, שְׁלֹשׁ מַחֲצוֹת בְּלֹא לֹחִי – זֶהוּ מְבֹי הַמְּפוּלֵשׁ. וְאִפִּילוּ לְרַבִּי אֱלִיעֶזֶר דָּאָמַר "בְּעֵינֵן לְחִים", הֵינִי מִילִי – לְאוֹכְלִין וּמִשְׁקִין. אָבֵל לְסֵפֶר תּוֹרָה – בְּחֹד לֹחִי סָגִי.

מתני' מַצִּילִין מִזֶּוֹן שְׁלֹשׁ סְעוּדוֹת, הָרָאוּ לְאָדָם – לְאָדָם, הָרָאוּ לְבֶהֱמָה – לְבֶהֱמָה. כִּיצַד: נִפְלָה דְלִיקָה בְּלַיְלָה שַׁבָּת – מַצִּילִין מִזֶּוֹן שְׁלֹשׁ סְעוּדוֹת, בְּשַׁחֲרִית – מַצִּילִין מִזֶּוֹן שְׁתֵּי סְעוּדוֹת, בְּמַנְחָה – מִזֶּוֹן סְעוּדָה אַחַת. רַבִּי יוֹסִי אוֹמֵר: לְעוֹלָם מַצִּילִין מִזֶּוֹן שְׁלֹשׁ סְעוּדוֹת.

גמ' מְבַדֵּי בְהִיתָרָא קְטַרְח, נָצִיל טַפִּי! אָמַר רַבָּא: מִתּוֹךְ שְׂאִדָּם בְּהוֹל עַל מְמוֹנוֹ, אֵי שְׂרִית לִיה – אֲתִי לְכַבּוּי. אָמַר לִיה אַבְיִי: אָלָא הָא דְתַנָּא, נִשְׁבְּרָה לוֹ חֲבִית בְּרֹאשׁ גָּג – מִבֵּיא כְּלִי וּמִנִּיחַ תַּחְתֶּיהָ, וּבִלְבָד שְׂלֵא יָבִיא אַחֵר כְּלִי וְקָלוּט, כְּלִי אַחֵר וְיִצְרָךְ. הָתֵם מֵאֵי גוֹיָרָה אֵיכָא? הֲכָא נָמִי, גוֹיָרָה שְׂמָא יָבִיא כְּלִי דְרֹךְ רִשּׁוֹת הָרֵבִים.

Rather, Rav Ashi said: The Sages in the mishna disagree with regard to the opinion of Rabbi Eliezer: Three walls and one post is an alley that is closed; three walls without a post at all is an open alley. And even according to Rabbi Eliezer, who said we need two posts, one post being insufficient, those words were stated to permit one to move food and drinks, but for the purpose of moving a Torah scroll,^H one post is sufficient.

MISHNA One may rescue food for three meals^H from a fire on Shabbat. One may rescue food that is suitable for a person for a person; and one may rescue food that is suitable for an animal for an animal.^N How so? If a fire ignited on Friday night before the Shabbat evening meal, one may rescue food for three meals. If a fire ignited in the morning, after the Shabbat evening meal has been eaten and before the meal of Shabbat day, one may only rescue food for two meals. If a fire ignited in the afternoon, one may rescue food for one meal. Rabbi Yosei says: One may always rescue food for three meals, which is the measure that the Sages permitted without distinguishing between the times of day.

GEMARA The Gemara asks: Now, since one is exerting himself to move permitted objects, let us rescue more. Why was he allowed to rescue food for only three meals? Rava said: Since a person is agitated about his property, if you permit him to move more, he will come to extinguish the fire. Abaye said to him: Rather, that which was taught in a *baraita*: If one's barrel broke atop one's roof on Shabbat, he may bring a vessel and place it under the barrel to salvage its contents, and this is permitted provided that he does not bring another vessel and place it on the ground to catch the liquid that flows out of the barrel. Similarly, one may not bring another vessel and attach the vessel next to the roof so that the liquid from the barrel will pour into it. There, what decree applies to prohibit saving it in any other way? Rava said to him: Here, too, it is a decree issued due to the concern lest one bring the additional vessel through the public domain, which is prohibited.

HALAKHA

Three walls and a single post...but for a Torah scroll, etc. – אָבֵל לְסֵפֶר תּוֹרָה: On Shabbat, one may rescue from a fire sacred writings that are written in ancient Hebrew in Assyrian script by taking them into an alley that is enclosed on three sides with walls and has a sidepost. This rule applies even if no merging of alleyways was established, in accordance with the opinion of Rav Ashi (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 17:2, 23:26; *Shulḥan Arukh*, *Orah Hayyim* 334:17, 363:1, 3, 14).

מַצִּילִין מִזֶּוֹן – שְׁלֹשׁ סְעוּדוֹת: One may rescue sufficient food from a fire for the meals that one must eat on Shabbat. At night, prior to the first meal, one may rescue enough food for three meals. In the morning, one may rescue enough for two meals. In the afternoon, one may rescue only enough for one meal. This applies to the people whose house is on fire. Those who live nearby may rescue whatever they want from their homes, if they are concerned that the fire will spread to their houses (*Tosafot*; Rosh; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:21; *Shulḥan Arukh*, *Orah Hayyim* 334:1).

NOTES

Food that is suitable for an animal for an animal – הָרָאוּ לְבֶהֱמָה לְבֶהֱמָה: Although an animal is not obligated to eat three meals on Shabbat, since the Sages declared that one may not eat until he has fed his animals, one should prepare food for three meals for his animals as well (*Tiferet Yisrael*).

If a barrel on top of one's roof breaks... if guests happen to come to him – נִשְׁבְּרָה לוֹ חֲבִית בְּרֹאשׁ גָּגוּ... נִדְמָן לוֹ אוֹרְחִין – When a barrel breaks on one's roof, it is permitted to bring a vessel, even if it is very large (*Mishna Berura*), and place it beneath the broken barrel to catch the contents pouring out; attaching it to the broken barrel is prohibited. If guests arrive, it is permitted to catch the liquid even by attaching a vessel to the broken barrel. However, one may not employ artifice and invite guests for this purpose. This ruling is in accordance with the unattributed mishna. If one caught the liquid in a prohibited fashion and afterward invited guests, it is permitted to drink it. According to the Rambam, it is permitted to employ artifice in this case, even *ab initio* (*Magen Avraham*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:16; *Shulḥan Arukh*, *Orah Hayyim* 335:2–3).

It and its offspring that fell into a pit – אוֹתוֹ וְאֶת בְּנוֹ שָׁנְפְלוּ – If a mother animal and its offspring fell into the same pit on a Festival, one may raise one of them in order to slaughter it, and then employ artifice to raise the second one, using an excuse for preferring the second animal, e.g., it is fatter (*Mishna Berura*). Then, he may slaughter either animal. The *halakha* is in accordance with the opinion of Rabbi Yehoshua in his dispute with Rabbi Eliezer (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 2:4; *Shulḥan Arukh*, *Orah Hayyim* 498:10).

Rescuing types of bread – הִצֵּלָת מִיֵּי פַת – One who rescued coarse bread from a fire on Shabbat may return to the house to rescue fine bread. However, if one rescued fine bread, it is prohibited to return to the fire to rescue coarse bread (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:25; *Shulḥan Arukh*, *Orah Hayyim* 334:3).

Rescuing for the purpose of another day – הִצֵּלָה לְיוֹם אֲחֵר – One may rescue food from a fire on Yom Kippur that occurs on Friday for the purpose of eating it on Shabbat. On Shabbat, it is prohibited to save food from a fire to eat it on Yom Kippur, a Festival, or the following Shabbat. On Yom Kippur, one may rescue sufficient food for a single meal, to be eaten at night after Yom Kippur (Jerusalem Talmud; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:25; *Shulḥan Arukh*, *Orah Hayyim* 334:4).

One forgot bread in the oven and the day of Shabbat was sanctified – שָׁכַח פֶּת בַּתּוֹר וְקִידֵשׁ עָלָיו הַיּוֹם – If one forgot bread in an oven and Shabbat began, it is permitted to remove enough bread for the three meals of Shabbat, provided that this bread is the only food that he has on Shabbat. One may invite others who have no other food to eat, to come and remove bread from the oven according to their needs. However, one must remove the bread in an atypical manner, e.g., with a knife. If it is impossible to do so atypically, one may remove it in the typical manner (Ran; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:1; *Shulḥan Arukh*, *Orah Hayyim* 254:5).

NOTES

It and its offspring – אוֹתוֹ וְאֶת בְּנוֹ – Although in the Torah, the prohibition of “it and its offspring” (Leviticus 22:28) is phrased with masculine pronouns, most of the Sages rule that the essential prohibition refers to a mother animal and its offspring. Other authorities extend the prohibition to a father animal and its offspring, in cases where the paternity of the animal is clear. In terms of the prohibition, it is irrelevant whether the mother animal or the offspring is slaughtered first.

LANGUAGE

Coarse bread [*hadra'a*] – הִדְרָאָה – The origin of this word is not entirely clear. Some commentaries suggest that it originates in Hebrew and an antonym of *hadar*, beauty (Rashi). Other authorities assert that it is from *deira'on*, disgrace (Rashash). Some linguists have found a similar root in the Aramaic *hadra'a*, meaning bran bread. According to the *Arukh*, the origin of the word is perhaps the Latin *hordeum*, meaning barley or buckwheat.

גופא. נִשְׁבְּרָה לוֹ חֲבִית בְּרֹאשׁ גָּגוּ – מביא כלי ומניח תחתיה, ובלבד שלא יביא כלי אחר ויקלוט, בלי אחר ויצרף. נִדְמָן לוֹ אוֹרְחִין – מביא כלי אחר וקולט, בלי אחר ומצרף. ולא יקלוט ואחר כך יזמין, אלא יזמין ואחר כך יקלוט, ואין מערימין בכך. משום רבי יוסי בר יהודה אמרו: מערימין.

לימא בפלוגתא דרבי אליעזר ורבי יהושע המיפליג: דתנא, אותו ואת בנו שנפלו לבור, רבי אליעזר אומר: מעלה את הראשון על מנת לשוחטו, והשני עושה לו פרנסה במקומו, בשביל שלא ימות. רבי יהושע אומר: מעלין את הראשון על מנת לשוחטו, ואינו שוחטו, ומערים ומעלה את השני. רצה – זה שוחט, רצה – זה שוחט.

ממאי? דילמא עד כאן לא קאמר רבי אליעזר היום – דאפשר בפרנסה, אבל הכא דלא אפשר – לא. ועד כאן לא קאמר רבי יהושע היום – משום דאיכא צער בעלי חיים, אבל הכא דליכא צער בעלי חיים – לא!

תנו רבנן: הִצִּיל פֶּת נִקְיָה אִין מְצִיל פֶּת הִדְרָאָה. פֶּת הִדְרָאָה – מְצִיל פֶּת נִקְיָה. ומצילין מיום הכפורים לשבת – אבל לא משבת ליום הכפורים, ואין צריך לומר משבת ליום טוב, ולא משבת לשבת הבאה.

תנו רבנן: שָׁכַח פֶּת בַּתּוֹר וְקִידֵשׁ עָלָיו הַיּוֹם – מְצִילִין מִזֶּן שְׁלֹשׁ סְעוּדוֹת, ואומר לאחרים: בואו והצילו לכם. וכשהוא רודה – לא ירדה במרדה אלא בסבין. איני? והא תנא דבי רבי ישמעאל: “לא תעשה כל מלאכה” – יצא תקיעת שופר ורדיית הפת, שהיא חכמה ואינה מלאכה! כמה דאפשר לשנויי משניני.

Apropos this *baraita*, the Gemara discusses the matter itself: If one's barrel broke atop one's roof on Shabbat, he may bring a vessel and place it under the barrel to salvage its contents, and this is permitted provided that he does not bring another vessel and place it on the ground to catch the liquid, another vessel and attach the vessel next to the roof. If guests happen to come to him¹ and he needs more to drink, he may bring another vessel and catch the liquid, and he may bring another vessel and attach it. And one may not catch the liquid and then invite guests; rather, one must first invite guests, and afterward catch the liquid. Until he invites guests, there is no need for the beverage, and he will be catching the liquid in a prohibited manner. And one may not employ artifice in this by inviting guests expressly for the purpose of rescuing his wine. In the name of Rabbi Yosei bar Yehuda, they said: One may even employ artifice.

The Gemara suggests: Let us say that Rabbi Yosei bar Yehuda and the Rabbis disagree in the dispute between Rabbi Eliezer and Rabbi Yehoshua, as it was taught in a *baraita*: With regard to it and its offspring² that fell into a pit³ on a Festival, Rabbi Eliezer says: One may raise the first in order to slaughter it, and then slaughter it; and with regard to the second one, one may provide it sustenance in its place in the pit so that it will not die. Rabbi Yehoshua says: One may raise the first in order to slaughter it, and then reconsider and not slaughter it, and one may employ artifice and say that he reconsidered and wants to slaughter the other, and raise the second. If he so desires, he slaughters this one; if he so desires, he slaughters that one.

The Gemara rejects this: From what does that conclusion ensue? Perhaps Rabbi Eliezer only stated that he may not raise the second animal there, in a case where it is possible to save the animal by feeding it in the pit; however, here, in the case of the barrel, where it is impossible to save it by feeding it in the pit, no, he would permit doing so. Perhaps even he agrees that it is permitted to employ artifice in this case. And similarly, perhaps Rabbi Yehoshua only said there that one may employ artifice because there is an issue of the suffering of living beings, but here, where there is no issue of the suffering of living beings, perhaps he did not permit employing artifice.

The Sages taught in the *Tosefta*: If one rescued sufficient fine bread for his needs, he may not then rescue coarse bread [*hadra'a*],⁴ bread made from flour and bran. However, if one rescued coarse bread, he may then rescue fine bread.⁵ And one may rescue bread on Yom Kippur for the purpose of Shabbat; however, one may not rescue bread on Shabbat for the purpose of Yom Kippur. And, needless to say, one may not rescue bread on Shabbat for the purpose of a Festival, and one may not rescue bread on Shabbat for the purpose of the next Shabbat.⁶

And the Sages taught: If one forgot bread in the oven and did not remove it until the day of Shabbat was sanctified,⁷ he may rescue enough food for three meals from the oven. And, one may say to others: Come and rescue bread for yourselves. And when one removes the bread from the oven, he may not remove it in the usual manner with a baker's paddle, but he removes it in an unusual manner, e.g., with a knife. The Gemara asks: Is that so? Didn't the school of Rabbi Yishmael teach that it is stated: “And the seventh day is Shabbat for the Lord, your God, you shall not perform any labor” (Exodus 20:10), and the emphasis on the word labor excludes blowing the shofar and removing bread, which is a skill and not a labor, and which therefore is not prohibited on Shabbat. If by Torah law removing bread on Shabbat is permitted, why may one not remove it in the usual manner? The Gemara answers: Nevertheless, as much as it is possible to alter the manner in which one removes bread from the oven one alters, to emphasize that the day is Shabbat.

And it shall be on the sixth day – וְהָיָה בַּיּוֹם הַשִּׁשִּׁי – With the statement, “And it shall be,” the Torah indicates that the people should begin preparations, “they will prepare” (Exodus 16:5), immediately when the day begins. An alternative interpretation is that since they did not collect the manna at night, the Torah teaches that preparations began with its collection in the early hours of the morning (Ritva).

He would break off a piece that would suffice for his entire meal – בָּצַע אֶבְרָא שִׁירוּתָהּ – Some commentaries explain that Rabbi Zeira would break all of the loaves that he prepared for the meal (Rashba).

When the bread from the *eiruv* would happen to become available to them, they would begin and recite the blessing over it – כִּי מִקְלַע לָהּ רִפְתָּא דְּעִירובָא שְׂרוּ עִילוּיָהּ – Some commentaries explain that Rabbi Ami and Rabbi Asi would do so specifically with the bread of the joining of cooked food [*eiruv tavshilin*] (*ge'onim*).

אמר רב חסדא: לעולם ישכים אדם להוצאת שבת, שנאמר: “והיה ביום הששי והכינו את אשר יביאו” – לא לתר. אמר רבי אבא: בשבת חייב אדם לבצוע על שתי ככרות, דכתיב: “לחם משנה”.

אמר רב אשי: חזינא ליה לרב כהנא דנקט תרתין ובצע חדא, אמר “לקטו” כתיב. רבי זירא הוה בצע אכולה שירותיה. אמר ליה רבינא לרב אשי: והא מיחזי כרעבתנותא! אמר ליה: כיון דכל יומא לא עבדי, והאידינא הוא דקעבדי – לא מיחזי כרעבתנותא. רבי אמי ורבי אסי כי מיקלע להו ריפתא דעירובא – שרו עילויה, אמרי: הואיל ואיתעבדי בה חדא מצוה – ליתעבדי בה מצוה אחרינא.

ביצד, נפלה דליקה כו’.” תנו רבנן: כמה סעודות חייב אדם לאכול בשבת? שלש, רבי חידקא אוימר: ארבע. אמר רבי יוחנן: ושניהם מקרא אחד דרשו, “ויאמר משה אכלוהו היום כי שבת היום לה’ היום לא תמצאוהו בשדה.” רבי חידקא סבר: הני תלתא “היום” – לבר מאורתא, ורבנן סברי: בהדי דאורתא. תנן: נפלה דליקה בלילי שבת –

Rav H̥isda said: A person should always rise early on Friday in order to prepare all of the expenditures for Shabbat,^h as it is written with regard to the collection of the manna: “And it shall be on the sixth day,ⁿ and they will prepare that which they have brought” (Exodus 16:5), indicating that the children of Israel would begin preparing the food for Shabbat immediately upon collecting the manna in the morning. Ap-
ropos manna, the Gemara mentions other matters derived from it. Rabbi Abba said: On Shabbat a person is obligated to break bread^h in his meal over two loaves of bread, as it is written: “And it happened on the sixth day, they collected double the bread, two omer for each one” (Exodus 16:22).

Rav Ashi said: I saw that Rav Kahana took two loaves in his hand and broke one, not both at once. He said in explanation that it is written: “They collected double the bread,” meaning that one collects and holds two loaves together, but need not break both. Rabbi Zeira would break off a piece that would suffice for his entire meal.^{nh} Ravina said to Rav Ashi: Doesn’t that appear like gluttony? Rav Ashi said to him: Since on every other day he does not do this and now he is doing so, it does not appear like gluttony. Rabbi Ami and Rabbi Asi, when the bread from the *eiruv* would happen to become available to them, they would begin and recite the blessing over it.^{nh} They said in explanation: Since one mitzva was performed with it, let an additional mitzva be performed with it.

We learned in the mishna that one may rescue food for three meals on Shabbat. How so? If a fire ignited before the meal on Shabbat evening, one rescues food for three meals; if a fire ignited Shabbat morning, he rescues food for two meals; if a fire ignited in the afternoon, he rescues food for one meal. With regard to meals on Shabbat, the Sages taught in a *baraita*: How many meals is a person obligated to eat on Shabbat?^h Three. Rabbi H̥idka says: Four. Rabbi Yoḥanan said: And both of them derived their opinions from one verse: “And Moses said: Eat it today, for today is Shabbat for God, today you will not find it in the field” (Exodus 16:25). Rabbi H̥idka holds: These three mentions of the word today allude to the number of meals on Shabbat besides the evening meal, as Moses spoke on Shabbat morning. And the Rabbis hold that these three mentions include the evening meal. We learned in the mishna: If a fire ignited on Shabbat evening,

HALAKHA

A person should always rise early to prepare all of the expenditures for Shabbat – לעולם ישכים אדם להוצאת שבת – One should rise early on Friday morning to prepare what is needed for Shabbat. Even if one has servants, it is preferable that he honor Shabbat by participating in the preparations (*Shulḥan Arukh, Oraḥ Ḥayyim* 250:1).

A person is obligated to break bread, etc. – חייב אדם לבצוע – During the Shabbat meal, one recites the blessing while holding two loaves of bread and then breaks one of them. This practice is in accordance with the custom of Rabbi Kahana (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 30:9; *Shulḥan Arukh, Oraḥ Ḥayyim* 274:1, 289:1).

He would break off a piece that would suffice for his entire meal – בָּצַע אֶבְרָא שִׁירוּתָהּ – At the Shabbat meal, it is a mitzva to break off a slice of bread sufficient for one’s entire meal.

According to Rabbi Zeira, this is a display of affection for the Shabbat meal (*Shulḥan Arukh, Oraḥ Ḥayyim* 274:2).

When the bread from the *eiruv* would happen to become available to them, they would begin and recite the blessing over it – כִּי מִקְלַע לָהּ רִפְתָּא דְּעִירובָא שְׂרוּ עִילוּיָהּ – Bread that was used to make the joining of the courtyards for Shabbat should be eaten at the Shabbat morning meal, as per the custom of Rabbi Ami and Rabbi Asi (*Shulḥan Arukh, Oraḥ Ḥayyim* 394:2 and in the comment of the Rema).

How many meals is a person obligated to eat on Shabbat – כמה סעודות חייב אדם לאכול בשבת – One is obligated to eat three meals on Shabbat. One should make certain to eat the third meal, even if doing so requires extra effort (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 30:9; *Shulḥan Arukh, Oraḥ Ḥayyim* 291:1).

NOTES

One who has sufficient food for two meals may not take food from the charity plate – מי שיש לו מזון שתי סעודות לא יטול מן התמחוי: The Sages ruled that one may not receive assistance from charity unless he is truly in need. Although they stated that it is appropriate for one who needs help to avail himself of that help rather than suffer, it remains preferable to avoid receiving charity. Consequently, the Sages set different criteria for eligibility to receive charity, and it was incumbent upon the poor to take no more than the measure for which he is eligible.

HALAKHA

Who is fit to receive charity – מי ראוי לקבל צדקה: A poor person who has enough food for two meals may not take from the charity plate from which food is distributed to the needy. In addition, one who has food to last a week, i.e., fourteen meals, may not take money from the charity fund (Rambam *Sefer Zera'im, Hilkhot Mattenot Aniyyim* 9:13; *Shulhan Arukh, Yoreh De'a* 253:1).

Make your Shabbat like a weekday – עשה שבתך חול: A person who is especially needy and has no collateral to enable him to take a loan to cover Shabbat expenses should make his Shabbat like a weekday and not be beholden to other beings. According to Rabbi Akiva, it is preferable for a person to refrain from honoring Shabbat with food and drink than to receive charity. Nevertheless, one who has available means must make every effort he can to honor Shabbat (Rambam *Sefer Zemanim, Hilkhot Shabbat* 30:7; *Shulhan Arukh, Yoreh De'a* 253:1, *Orah Hayyim* 242).

מצילין מזון שלש סעודות, מאי לאו – דלא אכל? לא. דאכל. "שחרית מצילין מזון שתי סעודות", מאי לאו דלא אכל? לא. דאכל. "במנחה, מצילין מזון סעודה אחת".

מאי לאו דלא אכל? לא. דאכל. והא מדקתני סיפא "רבי יוסי אומר: לעולם מצילין מזון שלש סעודות" מכלל דתנא קמא שלש סעודות ליה! אלא מחוורתא. מתניתין דלא פריב חידקא.

והא דתנן: מי שיש לו מזון שתי סעודות – לא יטול מן התמחוי, מזון ארבע עשרה – לא יטול מן הקופה. מני? לא רבנן ולא רבי חידקא! אי רבנן – חמסרי הויין, אי רבי חידקא – שית סרי הויין! לעולם רבנן, דאמרין ליה: מאי דבעית למיכל באפוקי שבתא – אכליה בשבתא.

לימא רבנן היא ולא רבי חידקא? אפילו תימא רבי חידקא, דאמרין ליה: מאי דבעית למיכל במעלי שבתא – אכליה לאורתא. וכולי יומא דמעלי שבתא בתעניתא מותבין ליה? אלא, הא מני – רבי עקיבא היא, דאמר: עשה שבתך חול, ואל תצטרך לבריות.

one rescues food for three meals. What, is this not referring to a situation where he has not yet eaten any meals? Apparently, one is obligated to eat only three meals on Shabbat. The Gemara rejects this: No, it is referring to a situation where one already ate one meal. Three meals still remain, in accordance with the opinion of Rabbi Hīdka, who requires four meals. The Gemara challenges this from the continuation of the mishna: If a fire ignited in the morning, one may only rescue food for two meals. What, is it not referring to a situation where one has not yet eaten one's morning meal and the obligation is to eat only three meals, one at night and two during the day? The Gemara rejects this: No, it is referring to a situation where one has already eaten the morning meal. The Gemara challenges this from the continuation of the mishna: If a fire ignited in the afternoon, one may rescue food for one meal.

What, is it not referring to a situation where one has not yet eaten the afternoon meal and the obligation is to eat only three meals? The Gemara rejects this: No, it is referring to a situation where one has already eaten. The Gemara challenges this: From the fact that it is taught in the latter clause of the mishna: Rabbi Yosei says: One may always rescue food for three meals, by inference, even the first *tanna* holds that the obligation is to eat three meals, as there is no dispute with regard to the number of meals on Shabbat. Rather, it is clear that the mishna is not in accordance with the opinion of Rabbi Hīdka. According to the *tanna'im* in the mishna, one is obligated to eat three meals on Shabbat.

And that which we learned in another mishna: One who has sufficient food for two meals in his possession may not take food from the charity plate^N that is distributed to the poor. He is not considered needy and would be taking food at the expense of people who are worse off than he. And one who has food for fourteen meals, enough meals for an entire week, may not take money from the charity fund.^H The Gemara asks: In accordance with whose opinion is this mishna? Apparently, it is neither in accordance with the opinion of the Rabbis nor in accordance with the opinion of Rabbi Hīdka. If it were in accordance with the opinion of the Rabbis, they maintain that they are fifteen meals that are eaten in a week, two each day, evening and morning, and three on Shabbat. If it were in accordance with the opinion of Rabbi Hīdka, they are sixteen meals that are eaten in a week, twelve during the six days of the week and four on Shabbat. The Gemara rejects this: Actually, the mishna is in accordance with the opinion of the Rabbis, but we say to him: That which you want to eat at the conclusion of Shabbat, Saturday night, eat it as the third meal on Shabbat.

The Gemara asks: Let us say that this mishna is in accordance with the opinion of the Rabbis and not in accordance with the opinion of Rabbi Hīdka. The Gemara rejects that approach: Even if you say that it is in accordance with the opinion of Rabbi Hīdka, the mishna can be understood, as we can say to him: That which you want to eat on Shabbat eve, Friday afternoon, eat at night on Shabbat instead. The Gemara asks: And do we have a person sit and fast all day on Shabbat eve? According to this suggestion, he would not eat at all on Friday. Rather, we must say: In accordance with whose opinion is this mishna? It is in accordance with the opinion of Rabbi Akiva, who said: Make your Shabbat like a weekday^H and do not be beholden to other beings. It is preferable to eat two meals on Shabbat as he does during the week if he can thereby avoid taking charity.

A poor person who is traveling from place to place – עני העובר ממקום למקום – One is obligated to provide a poor person who is traveling with a loaf of bread that costs at least a *pundeyon*, when the cost of grain is four *se'a* of wheat per *sela*. If the poor person stays overnight locally, one must provide him with bedding and a cushion. If the poor person is known in the community, he is provided with support commensurate with his standard of living prior to becoming impoverished (Rambam *Sefer Zera'im*, *Hilkhot Mattenot Aniyyim* 7:8; *Shulhan Arukh*, *Yoreh De'a* 250:4).

Rinsing dishes on Shabbat – הדיחת כלים בשבת: It is only permitted to wash dishes on Shabbat for use on Shabbat. Therefore, the dishes used for the third and final meal of Shabbat may not be washed on Shabbat. Vessels used for drinking may be washed all day long because there are no fixed times for drinking (*Shulhan Arukh*, *Orach Hayyim* 323:6).

BACKGROUND

A loaf worth a *pundeyon* – כֶּכֶר בְּפִנְדִּיּוֹן: According to the conclusion in the Gemara, the volume of this loaf of bread is between two-thirds and one ℓ of bread, which is sufficient for two meals.



Pundeyon from the time of the Talmud

LANGUAGE

Pundeyon – פִּנְדִּיּוֹן: From the Latin dupondium, which means the sum of two pence. The *pundeyon* is a coin worth two *issar*. There are twelve *pundeyon* in a *dinar* or *zuz*, and forty-eight *pundeyon* in a *sela*.

והא דתנן: אין פוחתין לעני העובר ממקום למקום מכֶּכֶר בְּפִנְדִּיּוֹן מארבע סאין בסלע. לן – נותנין לו פרנסת לינה, ואם שבת – נותנין לו מזון שלש סעודות. לימא רבנן היא ולא רבי חידקא! לעולם רבי חידקא, כגון דאיכא סעודה בהדיה, דאמרין ליה: הא דאיכא בהדיה – אכליה. וכי אזיל בריקון אזיל? דמלווין ליה סעודה בהדיה. מאי "פרנסת לינה"? אמר רב פפא: פריא ובי סדיא.

תני רבנן: קערות שאכל בהן ערבית מדיחן לאכול בהן שחרית, שחרית – מדיחן לאכול בהן בצעהרים, בצעהרים – מדיחן לאכול בהן במנחה. מן המנחה ואילך שוב אינו מדיחן, אבל בוסות וקיתונות וצלוחיות – מדיחן והולך כל היום כולו, לפי שאין קבע לשתייה.

אמר רבי שמעון בן פזי אמר רבי יהושע בן לוי משום בר קפרא: כל המקיים שלש סעודות בשבת ניצול משלש פורענויות: מחבלו של משיח, ומדינה של גיהנם, וממלחמת גוג ומגוג. מחבלו של משיח – קתיב הקא 'יום' וקתיב התם "הנה אנכי שולח לכם את אליה הנביא לפני בוא יום גוי". מדינה של גיהנם – קתיב הקא 'יום' וקתיב התם "יום עברה היום ההוא". ממלחמת גוג ומגוג – קתיב הקא 'יום' וקתיב התם "ביום בא גוג".

אמר רבי יוחנן משום רבי יוסי: כל המעניג את השבת נותנין לו נחלה בלי מצרים, שנאמר: "אז תתענג על ה' והרפכתיו על במתי ארץ והאכלתיו".

And that which we learned in another mishna: One gives no less charity to a poor person who is traveling from place to place^H than a loaf worth a *pundeyon*,^{NBL} one forty-eighth of a *sela*, when the standard price of grain is four *se'a* for a *sela*. If he sleeps there, one gives him money for sleeping; and if he spends Shabbat in that city, one gives him food for three meals. Let us say that is in accordance with the opinion of the Rabbis and not the opinion of Rabbi Hīdka. The Gemara rejects this: Actually, it is in accordance with the opinion of Rabbi Hīdka. When it says that if the poor traveler spends Shabbat there one gives him food for three meals, it is referring to a case where there is one meal that he brought with him, for we say to him: This meal that you have with you, eat it. The Gemara is surprised at this: And when he goes, does he go empty-handed, with no food. The Gemara answers: We provide him a meal to accompany him when he leaves. The Gemara asks: What is the meaning of money for sleeping? Rav Pappa said: It means that one provides his sleeping needs, i.e., a bed and cushions.

The Sages taught in a *baraita*: With regard to bowls from which one ate in the evening on Shabbat, he may rinse them in order to eat from them in the morning. Bowls from which one ate in the morning, he may rinse them to eat from them in the afternoon. Bowls from which one ate in the afternoon, he may rinse them to eat from them in the afternoon. However, from the afternoon onward, one may no longer rinse them because there is no further need for these bowls on Shabbat, and it is prohibited to make preparations on Shabbat for a weekday. However, with regard to cups, and ladles, and flasks, which are vessels used for drinking, one rinses them^H all day long because there is no fixed time for drinking, and one does not know when he will drink again.

Rabbi Shimon ben Pazi said that Rabbi Yehoshua ben Levi said in the name of bar Kappara: Anyone who fulfills the obligation to eat three meals on Shabbat is rescued from three punishments: From the pangs of the Messiah, i.e., the suffering that precedes the advent of Messiah, and from the judgment of Gehenna, and from the war of Gog and Magog. The Gemara derives that one is rescued from the pangs of Messiah by means of a verbal analogy. It is written here, with regard to Shabbat, day: "Eat it today" (Exodus 16:25). And it is written there, with regard to Messiah, day: "Behold, I am sending you Elijah the prophet before the coming of the great and awesome day of God" (Malachi 3:23). The Gemara derives that one is rescued from the judgment of Gehenna by means of a verbal analogy. It is written here, with regard to Shabbat, day, as cited above. And it is written there, day: "That day will be a day of wrath, a day of trouble and distress, a day of destruction and desolation, a day of darkness and blackness, a day of cloud and thick fog" (Zephaniah 1:15), which is interpreted as referring to the punishment of Gehenna. The Gemara derives that one is rescued from the war of Gog and Magog by means of a verbal analogy. It is written here, with regard to Shabbat, day. And it is written there, with regard to the War of Gog and Magog, day: "And it shall be on that day, on the day that Gog arrives on the land of Israel" (Ezekiel 38:18).

Rabbi Yohanan said in the name of Rabbi Yosei: With regard to anyone who delights in the Shabbat, God gives him a boundless portion,^N i.e., a very large reward, as it is stated: "If you keep your feet from violating Shabbat, from pursuing your affairs on My holy day, and you call Shabbat a delight, the Lord's holy day honored, and you honor it by not going your own way, or attending to your own matters or speaking idle words. Then you shall delight in the Lord and I will cause you to ride on the heights of the world, and to feast

NOTES

A loaf worth a *pundeyon* – כֶּכֶר בְּפִנְדִּיּוֹן: It is explained in tractate *Eiruvin* that this refers to a loaf that was purchased from the storekeeper for a *pundeyon*. The profits of the baker and storeowner are factored into the price of the bread. Consequently, this loaf is actually only a quarter of a *kav*.

A boundless portion – נַחְלָה בְּלִי מְצָרִים: The reward of a boundless portion is one that is measure for measure. Since one delights in

Shabbat without limiting his expenditures, one is rewarded with a portion that is limitless (*Beit Yosef*). The Gemara proceeds to cite the verse from Isaiah, which speaks of one who delights in Shabbat as being rewarded with the portion of Jacob. Some commentaries explain that the portion of Abraham was shared with the descendants of Ishmael and Lot, and part of Isaac's portion was given to Esau. However, the portion of Jacob was complete, not shared with others, and therefore boundless (*Maharsha; Imrei Emet*).

HALAKHA

Delighting in Shabbat – עונג שבת – It is appropriate that one delight in and honor Shabbat. One should cook special food in deference to Shabbat, even if other people do not consider that dish to be important (Rambam *Sefer Zemanim, Hilkhot Shabbat* 30:7; *Shulhan Arukh, Orah Hayyim* 242).

NOTES

עבודה זרה – Idolatry as in the generation of Enosh – **כדור אנוש** The generation of Enosh was the first generation that believed that praying to intermediaries between man and God was effective (Rambam *Sefer HaMadda, Hilkhot Avoda Zara*).

נחלת יעקב אביך וגו'. לא באברהם שכתוב בו: 'קים התהלך בארץ לארצה וגו', ולא ביצחק שכתוב בו: 'כי לך ולירעך אתן את כל הארצות האלה', אלא כי יעקב שכתוב בו: 'ויפרצת ימה וקדמה וצפונה ונגבה'.

on the inheritance of Jacob your father, as the mouth of God has spoken" (Isaiah 58:13–14). The reward for delighting in Shabbat is specifically the portion of Jacob. **Not that of Abraham, about whom it is written, "Rise, walk through the land through its length and its width because I have given it to you" (Genesis 13:17), i.e., only this land alone in its borders. And not that of Isaac, about whom it is written, "Dwell in this land and I will be with you and I will bless you because I will give all of these lands to you and your offspring" (Genesis 26:3), meaning these lands and no others. Rather, that of Jacob, about whom it is written, "And your offspring will be like the dust of the earth, and you will spread out to the west and to the east and to the north and to the south, and all of the families of the land will be blessed through you and your offspring" (Genesis 28:14). There are no boundaries for Jacob's portion.**

רב נחמן בר יצחק אמר: ניצול משעבוד גלויות, בתיב הכא: 'והרכבתיך על במתי ארץ', ובתיב התם: 'ואתה על במותימו תדרוך'. אמר רב יהודה אמר רב: כל המענג את השבת נותנין לו משאלות לבו, שנאמר: 'והתענג על ה' ויתן לך משאלות לבך'. עונג זה אינו יודע מהו, כשהוא אומר: 'וקראת לשבת עונג', הוי אומר: זה עונג שבת. במה מענגו? רב יהודה בריה דרב שמואל בר שילת משמיה דרב אמר: בתבשיל של תרדין, ודגים גדולים, וראשי שומין. רב חייא בר אשי אמר רב: אפילו דבר מועט, ולכבוד שבת עשאו – הרי זה עונג. מאי היא? אמר רב פפא: כסא דהרסנא.

Rav Nahman bar Yitzhak said: One who delights in Shabbat¹ is rescued from the oppression of exile. He derives it by means of a verbal analogy. It is written here, with regard to Shabbat: "And I will cause you to ride on the heights [*bamotei*] of the world" (Isaiah 58:14), and it is written there: "You are fortunate Israel, who is like you? A nation redeemed by God, the shield that aids you and the sword of your triumph. Your enemies will try to defeat you and you will trample their high places [*bamoteimo*]" (Deuteronomy 33:29). Rav Yehuda said that Rav said: With regard to anyone who delights in the Shabbat, God grants him his heart's desires, as it is stated: "And you shall delight in God and He will grant you your heart's desires" (Psalms 37:4). This delight in God, which is mentioned in the verse, I do not know what it is. When it says: "And you shall call the Shabbat delight," one must say: It is the delight of Shabbat. The Gemara asks: With what does one delight in the day of Shabbat? Rav Yehuda, son of Rav Shmuel bar Sheilat, said in the name of Rav: With a dish of beets, and large fish, and heads of garlic. Rav Hiyya bar Ashi said that Rav said: Even with regard to a small item and one prepared it in deference to Shabbat, it is a delight. The Gemara asks: What is the small item mentioned? Rav Pappa said: Small fried fish.

אמר רבי חייא בר אבא אמר רבי יוחנן: כל המשמר שבת כהלכתו, אפילו עובד עבודה זרה [כדור] אנוש – מוחלין לו, שנאמר: "אשרי אנוש יעשה זאת וגו' מחללו", אל תקרי מחללו, אלא מחול לו.

Rabbi Hiyya bar Abba said that Rabbi Yohanan said: With regard to anyone who observes Shabbat in accordance with its *halakhot*, even if he worships idolatry as in the generation of Enosh,² God forgives him his sins, as it is stated: "Fortunate is the man [*enosh*] who does this and the person who holds strong to it, one who guards the Shabbat from desecrating it [*mehallelo*], and guards his hand from doing any evil" (Isaiah 56:2). Do not read it as: From desecrating it [*mehallelo*], but rather: He is forgiven [*maḥullo*]. With regard to the generation of Enosh it is written: "And to Seth, to him also there was born a son; and he called his name Enosh. Then they began [*huḥal*] to call upon the Name of God" (Genesis 4:26), meaning to desecrate [*lehallel*] His name.

אמר רב יהודה אמר רב: אלמלי שמרו ישראל שבת ראשונה לא שלטה בהן אומה ולשון, שנאמר: "ויהי ביום השביעי יצאו מן העם ללקוט", ובתיב בתריה: "ויבא עמלק". אמר רבי יוחנן משום רבי שמעון בן יוחי: אלמלי משמרין ישראל שתי שבתות כהלכתן – מיד נגאלים, שנאמר: "כה אמר ה' לפריסים אשר ישמרו את שבתותי", ובתיב בתריה: "והביאותים אל הר קדשי וגו'".

Rav Yehuda said that Rav said: Had the Jewish people properly observed the first Shabbat that was commanded them, no nation or tongue would have ever ruled them, as it is stated: "And it happened on the seventh day, some people went out from the nation to collect and they did not find" (Exodus 16:27). And it is written after they went out to collect manna: "And Amalek came and fought with Israel in Refidim" (Exodus 17:8). Rabbi Yohanan said in the name of Rabbi Shimon ben Yoḥai: If only the Jewish people would keep two *Shabbatot* in accordance with their *halakhot*, they would be immediately redeemed, as it is stated: "So said God to the eunuchs who will keep My Shabbatot" (Isaiah 56:4), and it is written after that: "And I will bring them to My holy mountain and will let them rejoice in My house of prayer" (Isaiah 56:7).

One who reads *hallel* every day – הקורא הלל בכל יום: Some commentaries explain that one who recites *hallel* daily demonstrates a lack of appreciation for the miracles that God performed throughout our history. He also fails to pray for future redemption (*Me'iri*).

Among those who accept Shabbat in Tiberias – ממכניסי שבת – בטבריא: One explanation of this statement is that the custom of the people of Tiberias was to perfume their clothing and homes at the start of Shabbat, while in Tzippori they did so when Shabbat ended. Therefore, Rabbi Yosei praised people who adopted both of these customs (*Tosefot Rabbi Yehuda HaHasid; Aguda*).

HALAKHA

May my portion be among those who complete *hallel*...to verses of praise – יהא חלקי מגומרי הלל...בפסוקי דזמרה: One should make certain to recite the verse of praise each morning, as Rabbi Yosei said: May my portion be among those who complete *hallel* every day (Rambam *Sefer Ahava, Hilkhos Tefilla* 7:12).

It is a mitzva to pray with the reddening of the sun – מצוה – להתפלל עם דמדומי חמה: According to Rabbi Yosei and Rabbi Yohanan, one should rise early in the morning to recite the morning prayer at sunrise. The afternoon prayer should be recited as the sun is setting (Rambam *Sefer Ahava, Hilkhos Tefilla* 3:1; *Shulhan Arukh, Orach Hayyim* 89:1, 233:1).

May my portion be among those who accept Shabbat in Tiberias – יהא חלקי ממכניסי שבת בטבריא: Some authorities state that one is obligated to extend the sanctity of Shabbat into the week by beginning Shabbat early and ending it late. The *Magen Avraham* rules that this is a mitzva by Torah law. That is one explanation of Rabbi Yosei's statement. However, the primary source for the obligation to extend Shabbat is the interpretation of the verses cited in tractate *Yoma* (*Shulhan Arukh, Orach Hayyim* 261:2).

LANGUAGE

Avtilas – אבטילס: From the Greek εὐτολμος, *eutolmos*, meaning strong-hearted.

Vardimas – ורדימס: From the Greek εὐρύδημος, *eurydēmos*. In this context, it relates to the Hebrew *vered*, or the Greek ῥόδον, *rhodon*, meaning rose.

אמר רבי יוסי: יהא חלקי מאוכלי שלש סעודות בשבת. אמר רבי יוסי: יהא חלקי מגומרי הלל בכל יום. איני? והאמר מר: הקורא הלל בכל יום – הרי זה מתחרף ומגדף! כי קאמרין – בפסוקי דזמרה.

Rabbi Yosei said: May my portion be among those who eat three meals on Shabbat. Apropos this statement of Rabbi Yosei, the Gemara cites additional declarations. Rabbi Yosei said: May my portion be among those who complete *hallel* every day. The Gemara is surprised at this: Is that so? Didn't the Master say: One who reads *hallel* every dayⁿ is tantamount to one who curses and blasphemes God. He displays contempt for *hallel* by not reserving it for days on which miracles occurred. The Gemara answers: When we say this statement of Rabbi Yosei, we are referring to the verses of praise [*pesukei dezimra*],^h recited during the morning service, not to *hallel* (Psalms 113–118) recited on special days.

אמר רבי יוסי: יהא חלקי ממתפללים עם דמדומי חמה. אמר רבי חייא בר אבא אמר רבי יוחנן: מצוה להתפלל עם דמדומי חמה. אמר רבי זירא: מאי קרא – "ויראוך עם שמש ולפני ירח דור דורים".

And furthermore, Rabbi Yosei said: May my portion be among those who pray the morning and afternoon prayers with the reddening of the sun, i.e., the morning prayer at sunrise and the afternoon prayer adjacent to nightfall. Rabbi Hiyya bar Abba said that Rabbi Yohanan said: It is a mitzva to pray with the reddening of the sun.^h Rabbi Zeira said: What verse alludes to this? "They will fear You with the sun and before the moon, generation upon generation" (Psalms 72:5). Fear of God, prayer, should be with the sun and before the moon.

ואמר רבי יוסי: יהא חלקי ממתים בחולי מעיים. דאמר מר: רובן של צדיקים מתים בחולי מעיים. ואמר רבי יוסי: יהא חלקי ממתים בדרך מצוה. ואמר רבי יוסי: יהא חלקי ממכניסי שבת בטבריא וממזיאי שבת בצפורי. ואמר רבי יוסי: יהא חלקי ממושיבי בית המדרש, ולא ממעמידי בית המדרש.

And Rabbi Yosei said: May my portion be among those who die from intestinal disease, as the Master said: Most righteous people die of intestinal disease. It is a very harsh disease through which the sins of righteous people are cleansed before their death and also, as a result, they die with a clean body. And Rabbi Yosei said: May my portion be among those who die on the path to perform a mitzva. And Rabbi Yosei said: May my portion be among those who accept Shabbat in Tiberias,^{nh} which is in a valley where day turns to evening earlier, and among those who see Shabbat out in Tzippori, which is located on a mountain top where the sun is visible for longer, and Shabbat ends later. And Rabbi Yosei said: May my portion be among those who seat others in the study hall, i.e., who cause others to come sit and study, and not among those who cause others to stand in the study hall, i.e., who announce that it is time to leave the study hall and go to eat.

ואמר רבי יוסי: יהא חלקי מגבאי צדקה, ולא ממחלקי צדקה. ואמר רבי יוסי: יהא חלקי ממי שחושדין אותו ואין בו. אמר רב פפא: לדידי חשדן ולא הוה בי.

And Rabbi Yosei said: May my portion be among the collectors of charity and not the distributors of charity. One who collects charity collects fixed amounts, whereas distributors may inadvertently fail to give the poor person enough to cover his needs. And Rabbi Yosei said: May my portion be with one whom others suspect of sin and there is no basis for suspecting him. Rav Pappa said: They suspected me, and there was no basis for suspecting me.

אמר רבי יוסי: חמש בעילות בעלתי, ונטעתי חמשה ארזים בישראל. ומאן אינון – רבי ישמעאל ברבי יוסי, ורבי אלעזר ברבי יוסי, ורבי חלפתא ברבי יוסי, ורבי אבטילס ברבי יוסי, ורבי מנחם ברבי יוסי. והאיבא ורדימס! היינו ורדימס היינו מנחם. ואמאי קרי ליה ורדימס – שפניו דומין לוורד. למימרא דרבי יוסי מצות עונה לא קיים? אלא אימא: חמש בעילות בעלתי ושנתי.

Furthermore, Rabbi Yosei said: I engaged in relations five times, and I planted five cedars in Eretz Yisrael. And who are these cedars? The sons of Rabbi Yosei, who were great Sages of Israel: Rabbi Yishmael, son of Rabbi Yosei, and Rabbi Elazar, son of Rabbi Yosei, and Rabbi Halafta, son of Rabbi Yosei, and Rabbi Avtilas,^l son of Rabbi Yosei, and Rabbi Menaḥem, son of Rabbi Yosei. The Gemara asks: Isn't there Vardimas,^l who was also Rabbi Yosei's son? The Gemara answers: Vardimas is the same as Menaḥem. And why did they call him Vardimas? Because his face was as beautiful as a rose [*vered*]. The Gemara asks: Is that to say based on this statement that Rabbi Yosei did not fulfill the mitzva of his wife's conjugal rights, but only had relations with her five times? Rather, say it this way: I engaged in relations five times and I did so again, and the Sages said that one who seeks to father male offspring should engage in relations and do so again.

I did not call my wife, my wife – לֹא קָרִיתִי לְאִשְׁתִּי 'אִשְׁתִּי': Some commentaries explain that Rabbi Yosei called his wife, my home, so she would realize that she was the essence of the home and would appreciate that responsibility for the home was incumbent upon her. Similarly, he called his ox, my field, so that his workers would appreciate the importance of caring properly for the ox (Maharsha).

Go up to the platform – עֲלֶה לְדוֹכֵן: Many commentaries sought to clarify why people thought Rabbi Yosei was a priest and why he followed their instructions. There are two concerns with regard to this practice. First, by participating in the priestly blessing Rabbi Yosei was transgressing a positive commandment, as the mitzva to bless the people was restricted to priests. Second, doing so could create the mistaken impression that his descendants were priests, which would cause future pitfalls for the multitudes.

I never said something and then retreated from it [hazarti la'ahorai] – לֹא אָמַרְתִּי דָבָר וְחָזַרְתִּי לְאַחֲרָי: Rashi explained the term *hazarti la'ahorai* in its literal sense, i.e., turned around. Rabbi Yosei never made a statement and then turned around to determine whether or not the person about whom he was speaking was standing behind him. Either because he believed that one who speaks the truth need not be concerned that he will be overheard, or because he was careful never to say anything offensive. Other commentaries explain that he meant that he never made a statement that he later retracted, as he was careful to say what he means the first time (*Me'iri*).

HALAKHA

In all my days I never looked at my circumcision – מִיָּמִי: Rabbi Yehuda HaNasi, a member of one of the early generations of pious Sages and among the greatest of the Sages, took pride in the fact that he never looked at his circumcision, as per the statement of Rabbi Yosei (*Shulḥan Arukh, Even HaEzer* 23:7).

In all of my days the walls of my house never saw the seams of my robe – מִיָּמִי לֹא רָאוּ קוֹרוֹת בֵּיתִי אִמְרֵי חִלּוּקִי: A person should dress while covered in bed, so that he is not even briefly naked (*Shulḥan Arukh, Oraḥ Ḥayyim* 2:1).

I never walked four cubits with my head uncovered – דָּלָא סְגִינָא אַרְבַּע אַמּוֹת בְּגִילּוֹי הָרֹאשׁ: A man should not walk even four cubits his head uncovered. The *Magen Avraham* writes that it is meritorious to refrain from walking even less than four cubits with an uncovered head. This applies to walking indoors as well as to sitting or standing for the time it would take to walk four cubits (*Mishna Berura*). This worthwhile custom is learned from the greatest Sages. Even though there were authorities who argued that it is only a custom of piety and of extra scrupulousness (Maharshah; Vilna Gaon), the men of Israel have accepted the custom of covering their heads for a variety of reasons (*Shulḥan Arukh, Oraḥ Ḥayyim* 2:6).

אָמַר רַבִּי יוֹסֵי: מִיָּמִי לֹא קָרִיתִי לְאִשְׁתִּי 'אִשְׁתִּי' וְלִשְׁוֹרִי 'שְׁוֹרִי', אֶלָּא: לְאִשְׁתִּי 'בֵּיתִי', וְלִשְׁוֹרִי 'שָׂדִי'.

אָמַר רַבִּי יוֹסֵי: מִיָּמִי לֹא נִסְתַּבַּלְתִּי בְּמִילָה שְׁלִי. אֵינִי? וְהָאֲמַרְוּ לִיָּה לְרַבִּי: מֵאֵי טַעְמָא קָרָא לְךָ 'רַבִּינוּ הַקָּדוֹשׁ'? אָמַר לָהּ: מִיָּמִי לֹא נִסְתַּבַּלְתִּי בְּמִילָה שְׁלִי. בְּרַבִּי מִילְתָּא אַחֲרֵיתִי הָיָה בֵּיתִי – שְׁלֹא הִכְנִס יָדוֹ תַּחַת אֲבָנִטוֹ. וְאָמַר רַבִּי יוֹסֵי: מִיָּמִי לֹא רָאוּ קוֹרוֹת בֵּיתִי אִמְרֵי חִלּוּקִי.

וְאָמַר רַבִּי יוֹסֵי: מִיָּמִי לֹא עֲבַרְתִּי עַל דְּבָרֵי חֲבֵרַי. יוֹדַע אֲנִי בַּעֲצָמֵי שְׁאֵינִי בָּהֶן, אִם אוֹמְרִים לִי חֲבֵרַי 'עֲלֶה לְדוֹכֵן' – אֲנִי עוֹלָה. וְאָמַר רַבִּי יוֹסֵי: מִיָּמִי לֹא אָמַרְתִּי דָבָר וְחָזַרְתִּי לְאַחֲרָי.

אָמַר רַב נַחֲמָן: תִּיתִי לִי דְקִיּוּמִית שְׁלֹשׁ סְעוּדוֹת בַּשַּׁבָּת. אָמַר רַב יְהוּדָה: תִּיתִי לִי דְקִיּוּמִית עֵינוֹן תַּפְלָה. אָמַר רַב הוּנָא בְּרִיה דְּרַב יְהוֹשֻׁעַ: תִּיתִי לִי דָלָא סְגִינָא אַרְבַּע אַמּוֹת בְּגִילּוֹי הָרֹאשׁ. אָמַר רַב יִשְׁשֶׁת: תִּיתִי לִי דְקִיּוּמִית מְצוֹת תַּפְלִין. וְאָמַר רַב נַחֲמָן: תִּיתִי לִי דְקִיּוּמִית מְצוֹת צִיצִית.

אָמַר לִיָּה רַב יוֹסֵף לְרַב יוֹסֵף בְּרִיה דְּרַבָּה: אֲבוּךָ בְּמֵאֵי זְהִיר טָפִי? אָמַר לִיָּה: בְּצִיצִית. יוֹמָא חַד הָיָה קָא סְלִיק בְּדִרְגָּא, אִיפְסִיק לִיָּה חוּטָא – וְלֹא נָחִית וְאֶתָּא כְּמָה דָּלָא רַמְיָה. וְאָמַר אֲבִי: תִּיתִי לִי, דְּכִי חֲזִינָא צוּרְבָא מִרְבָּנָן דְּשָׁלִים מִסְכְּתָהּ.

Furthermore, Rabbi Yosei said that he always spoke euphemistically: In all my days, I did not call my wife, my wife,^N nor my ox, my ox. Rather, I called my wife, my home, because she is the essence of the home, and my ox, my field, because it is the primary force in the fields.

Rabbi Yosei said: In all my days, due to modesty, I never looked at my circumcision.^H The Gemara asks: Is that so? Didn't they say to Rabbi Yehuda HaNasi: Why did they call you our holy Rabbi? He said to them: It is because in all my days I never looked at my circumcision. If so, why wasn't Rabbi Yosei also called our holy Rabbi? The Gemara replies: In the case of Rabbi Yehuda HaNasi, another matter of modesty was present in him, as he did not insert his hand below his belt due to his great modesty. And Rabbi Yosei said: In all my days, the walls of my house never saw the seams of my robe^H due to modesty, as he would only undress under his bed sheets.

And Rabbi Yosei said: In all my days I never violated the words of my friends. I know about myself that I am not a priest, and nevertheless, if my friends say to me: Go up to the platform^N with the priests, I go up. And Rabbi Yosei said: In all my days I never said something and then retreated from it.^N Rabbi Yosei never said something positive or negative about a specific person and then denied it.

Rav Nahman said: May I receive my reward^B because I fulfilled the obligation to eat three meals on Shabbat magnificently. Rav Yehuda said: May I receive my reward because I fulfilled the obligation of consideration during prayer. Rav Huna, son of Rav Yehoshua, said: May I receive my reward because I never walked four cubits with my head uncovered.^H Rav Sheshet said: May I receive my reward because I fulfilled the mitzva of phylacteries magnificently. And Rav Nahman said: May I receive my reward because I fulfilled the mitzva of ritual fringes magnificently.

Rav Yosef said to Rav Yosef, son of Rabba: In what area was your father, Rabba, especially vigilant? He said to him: It was in the mitzva of ritual fringes. The Gemara relates: One day he was climbing the stairs when a string from his ritual fringes was severed, and he would not descend until he placed a new string on the garment. And Abaye said: May I receive my reward because when I see a young Torah scholar who has completed a tractate that he studied

BACKGROUND

May I receive my reward – תִּיתִי לִי: The *ge'onim* had a tradition that Rav was meticulous in observing ten measures of piety, but his students could not maintain all of them. Therefore, each student sought to uphold at least several of the practices. When doing so, each one prefaced it by saying: May I receive my reward. The ten degrees of piety are as follows: (1) Rav did not walk four cubits standing erect; (2) he always walked with his head covered; (3) he ate three meals on Shabbat; (4) he did not look

to the sides as he walked; (5) he prayed with great concentration; (6) he walked around the congregation rather than into the congregation, so that the people would not have to stand up for him and would not be disturbed; (7) he never ate a meal that was not required; (8) he appeased those who provoked him; (9) he had a beautiful voice and served as the translator of the Torah reading in the synagogue; (10) he was meticulous in the performance of the mitzvot of ritual fringes and phylacteries.

עבִידְנָא יוֹמָא טָבָא לְרַבְנָן. אָמַר רַבָּא:
תִּיתִי לִי דְבִי אֶתָּא צוֹרְבָא מִרְבֵּנָא לְקַמְּאִי
לְדִינָא, לֹא מוֹיְגָנָא רִישִׁי אֲבִי סְדִיָּא כְּמָה
דְּלֹא מְהִיכְנָא בְּזוֹכֵתֶיהָ. אָמַר מִרְ בַּר רַב
אֲשִׁי: פְּסִילָנָא לִיָּה לְצוֹרְבָא מִרְבֵּנָא לְדִינָא.
מֵאִי טַעְמָא – דְּחָבִיב עָלֵי כְּגוּפֵאִי, וְאִין
אָדָם רוֹאָה חוֹבָה לְעַצְמוֹ.

רַבִּי חֲנִינָא מוֹעֵטָר וְקָאִי אֲפֻנָּא דְּמַעְלִי
שַׁבָּתָא. אָמַר: בּוֹאֵי וְנִצָּא לְקִרְוֹת שַׁבָּת
הַמְלִכָּה. רַבִּי יִנְאִי לְבִישׁ מְאִיָּה מַעְלִי
שַׁבָּת, וְאָמַר: בּוֹאִי כְּלָה בּוֹאִי כְּלָה. רַבָּה
בַּר רַב הוֹינָא אִיקְלַע לְבִי רַבָּה בַּר רַב נַחֲמָן,
קְרִיבּוֹ לִיָּה תֵּלֶת סָאִי טַחֲיִי. אָמַר לְהוֹ:
מִי הוּא יִדְעִיתוֹן דְּאֶתֵּינָא? אָמְרוּ לִיָּה: מִי
עֲדִיפָתָ לָן מִיָּנָה.

רַבִּי אֲבָא זָבֵן בְּתַלְסָר אֶסְתִּירִי פְּשִׁיטִי
בִּישְׂרָא מְתַלְסָר טַבְּחִי, וּמִשְׁלִים לְהוֹ
אֶצִּינוֹרָא דְּדָשָׁא, וְאָמַר לְהוֹ: אֲשׁוּר
הֵיא, אֲשׁוּר הֵיא! רַבִּי אֲבָהוּ הוּא יִתִּיב
אֶתְכֶתְקָא דְּשִׁינָא וּמוֹשִׁיף נּוֹרָא. רַב עֲנָן
לְבִישׁ גּוֹנָדָא; דְּתִנָּא דְּבִי רַבִּי יִשְׁמַעֲלִי:
בְּגָדִים שְׁבִישֵׁל בְּהֵן קְדִירָה לְרַבּוֹ – אֵל
יִמּוֹזַג בְּהֵן כּוֹס לְרַבּוֹ.

רַב סַפְרָא מַחְרִיךְ רִישָׁא – רַבָּא מֶלֶח
שִׁיבוּטָא. רַב הוֹנָא מְדַלִּיק שְׁרָגִי, רַב פֶּפֶּא
גְּדִיל פְּתִילָתָא. רַב חֲסִדָּא פְּרִים סִילְקָא.
רַבָּה זָרַב יוֹסֵף מְצַלְחִי צִיבִי. רַבִּי זִידָא
מַצֵּת צִתּוּתָא. רַב נַחֲמָן בַּר יִצְחָק מַכְתֵּף
וְעִיִּיל מַכְתֵּף וְנִפְקִי. אָמַר: אֵילוֹ מְקַלְעִין
לִי רַבִּי אֲמִי וְרַבִּי אֲסִי מִי לֹא מַכְתִּיפִנָּא
קַמִּיָּהוּ? וְאִיכָּא דְּאָמְרוּ: רַבִּי אֲמִי וְרַבִּי
אֲסִי מַכְתִּיפִי וְעִיִּילִי מַכְתִּיפִי וְנִפְקִי, אָמְרוּ:
אֵילוֹ אִיקְלַע לָן רַבִּי יוֹחָנָן, מִי לֹא מַכְתִּיפִנָּא
קַמִּיָּהוּ?

I make a feast for the Sages.^H Rava said: May I receive my reward because when a young Torah scholar comes before me for judgment, I do not put my head on the pillow^H until I seek as many of his merits as possible, based on conditions and his claims. Mar bar Rav Ashi said: I am disqualified to sit in judgment of a young Torah scholar. What is the reason that I am disqualified? It is because the Torah scholar is as beloved to me as my own self, and a person does not find fault in himself.

The Gemara now returns to the issue of delight in and deference to Shabbat. Rabbi Hanina would wrap himself in his garment and stand at nightfall on Shabbat eve, and say: Come and we will go out to greet Shabbat the queen. Rabbi Yannai put on his garment on Shabbat eve and said: Enter, O bride. Enter, O bride.^H The Gemara relates: Rabba bar Rav Huna happened to come to the house of Rabba bar Rav Nahman. They brought before him three se'a of oiled biscuits. He said to them: Did you know I was coming and prepared all of this in my honor? They said to him: Are you more important to us than Shabbat? The biscuits were prepared in deference to Shabbat.

Rabbi Abba bought thirteen plain staters [*astirei peshitei*]^B worth half a zuz of meat from thirteen butchers in deference to Shabbat, so that he would have various types of fine meat. And he would place the meats at the door hinge at the entrance to his house to hurry to bring another type of meat. And he said to the cooks, in order to rush them: Hurry and prepare it, hurry and prepare it. The Gemara also relates: Rabbi Abbahu would sit on an ivory chair [*takhteka*]^{UN} and fan the fire cooking the food for Shabbat, in order to play a role in preparations for Shabbat. Rav Anan would don a simple black garment^N for the Shabbat preparations, as the school of Rabbi Yishmael taught: While wearing the garments in which he cooked a pot of food for his master, one should not dilute a cup of wine for his Master. One should wear a garment appropriate for the task at hand.

Rav Safra would roast the head of an animal to prepare it for Shabbat. Rava salted a *shibuta* fish in deference to Shabbat. Rav Huna kindled lamps in deference to Shabbat. Rav Pappa spun the wicks for the Shabbat lamp. Rav Hisda cut the beets in preparation for Shabbat. Rabba and Rav Yosef cut wood. Rabbi Zeira prepared thin sticks for kindling. Rav Nahman bar Yitzhak would load objects on his shoulder and enter, load objects on his shoulder and exit. He said: If Rabbi Ami and Rabbi Asi happened to visit me, would I not load objects on my shoulder before them? So too, it is fitting to do so in deference to Shabbat. And some say that Rabbi Ami and Rabbi Asi would load objects on their shoulders and enter, load objects on their shoulders and exit. They said: If Rabbi Yohanan happened to come to visit us, would we not load objects on our shoulders before him?

NOTES

An Ivory chair – תַּכְתֵּקָא דְּשִׁינָא: This anecdote teaches that even a wealthy person, like Rabbi Abbahu, should participate in the Shabbat preparations. Indeed, Rabbi Abbahu showed deference to the mitzva by sitting on an expensive ivory chair.

Would don a simple black garment – לְבִישׁ גּוֹנָדָא: Apparently, Rav Anan disagrees with Rabbi Abbahu and maintains that one should wear simple, not special, clothing for the preparations of Shabbat, as per the statement of Rabbi Yishmael (Rabbi Elazar Moshe Horovitz).

HALAKHA

סְעוּדָה לְסִיּוּם מִסְכָּת – A feast upon completing a tractate – It is a mitzva to rejoice with a feast when one completes a tractate of Talmud. It is a mitzva feast based on Abaye's statement (*Shulḥan Arukh, Yoreh De'a* 246:26 and in the comment of the Rema).

לֹא מוֹיְגָנָא רִישִׁי אֲבִי סְדִיָּא – I do not put my head on the pillow – Following Rava's example, it is proper for a judge to seek the merits of a Torah scholar in judgment (*Shulḥan Arukh, Hoshen Mishpat* 15:1).

Accepting Shabbat – קְבֻלַּת שַׁבָּת: It is appropriate to put on special clothes to welcome Shabbat joyously. In addition, it is our custom to accept Shabbat by reciting: Come and we will go out to greet Shabbat the queen, as well as: Enter, O bride. Enter, O bride, in the framework of the *Lekha Dodi* poem (Rambam *Sefer Zemanim, Hilkhot Shabbat* 30:2; *Shulḥan Arukh, Orach Hayyim* 262:3).

LANGUAGE

Chair [*takhteka*] – תַּכְתֵּקָא: Related to the middle Persian taxtag, meaning a board or plank, which seems to connote a chair.

BACKGROUND

Plain staters [*astirei peshitei*] – אֶסְתִּירֵי פְּשִׁיטֵי: A stater is the name of a weight and of a common coin from the Greek *στατήρ*, *statēr*. The Talmud uses the term to refer to various coins of different value with this name and it is roughly parallel to the talmudic *sela*. Primarily, there was a stater equal to four dinars, a Tyrean *sela*, or the small stater equal to half a *dinar*, a state *sela*. The smaller stater is referred to as the plain [*pashit*] stater.



Corinthian stater

יוסף מוקיר שבי, הוה ההוא גוי בשבבותיה, דהוה נפישו נכסיה טובא. אמרי ליה בלדאי: בוליהו נכסי – יוסף מוקר שבי אכיל להו. אזל זבנינהו לכולהו נכסי, ובן בהו מרגנתא, אותבה בסייניה. בהדי דקא עבר מברא – אפרחיה זיקא, שדייה במיא. בלעיה כוורא. אסקוה איתיה אפניא דמעלי שבתא. אמרי: מאן זבין כי השתא? אמרי להו: זילו אמטויהו לגבי יוסף מוקר שבי, דרגיל דובין. אמטויהו ניהליה, זבניה. קרעיה, אשכח ביה מרגנתא, זבניה בתליסר עיליתא דדיגרי דדהבא. פגע ביה ההוא סבא, אמר: מאן דיזויף שבתא – פריעיה שבתא.

The Gemara relates with regard to Yosef who cherishes Shabbat: There was a gentile in his neighborhood whose property was extremely plentiful. The astrologers said to the gentile with regard to all his property: Yosef who cherishes Shabbat will consume it. The gentile went and sold all of his property, and with the money he received he bought a pearl, and he placed it in his hat. When he was crossing a river in a ferry, the wind blew his hat and cast it into the water, and a fish swallowed it. The fish was caught and removed from the water and it was brought to shore adjacent to nightfall on Shabbat eve. The fishermen said: Who buys fish at a time like this? The townspeople said to the fishermen: Go bring it to Yosef who cherishes Shabbat, as he regularly purchases delicacies in deference to Shabbat. They brought it to him and he purchased it. He ripped the fish open and found a pearl inside it. He sold it for thirteen vessels filled with golden dinars (*Tosafot*). This elderly man who encountered him and said: One who lends to Shabbat, Shabbat repays him.

בעא מיניה רבי מרבי ישמעאל ברבי יוסי: עשירים שבארץ ישראל במה הן זוכין? אמר ליה: בשביל שמעשרין, שנאמר: "עשר תעשר" – עשר בשביל שתתעשר. שבבבל במה הן זוכין? אמר ליה: בשביל שמכבדין את התורה.

Rabbi Yehuda HaNasi raised a dilemma before Rabbi Yishmael, son of Rabbi Yosei: With regard to the wealthy of Eretz Yisrael, by what virtue do they merit their wealth? He said to him: Because they tithe, as it is stated: "A tithe you shall tithe [*asser te'asser*] from all the crops of your seed that come out of the field each year" (Deuteronomy 14:22). The Sages interpreted this homiletically: Take a tithe [*asser*] so that you will become wealthy [*titasher*]. He asked: With regard to the wealthy of Babylonia, who are not obligated to tithe, by what virtue do they merit their wealth? He said to him: Because they honor the Torah and the Sages in Babylonia.

ושבשאר ארצות במה הן זוכין? אמר ליה: בשביל שמכבדין את השבת. דאמר רבי חייה בר אבא: פעם אחת נתארחתי אצל בעל הבית בלודקיא, והביאו לפניו שלחן של זהב משוי ששה עשר בני אדם, ושש עשרה שלשלאות של כסף קבועות בו, וקערות וכוסות וקיתניות וצלוחיות קבועות בו, ועליו כל מיני מאכל וכל מיני מגדים ובשמים, ובשמינים אותו אומרים: "לה הארץ ומלואה וגו'", ובשמלקין אותו אומרים: "השמים שמים לה והארץ נתן לבני אדם". אמרתי לו: בני, במה זכית לכך? אמר לי: קצב הייתי, ומכל בהמה שהיתה נאה אמרתי: זו תהא לשבת. אמרתי לו [אשריך שזכית], וברוך המקום שזיכך לך.

With regard to the wealthy of other countries, where there are no Sages, by what virtue do they merit their wealth? He said to him: Because they honor Shabbat, as Rabbi Hiyya bar Abba said: One time I was hosted at the home of a homeowner in Laodicea and they brought before him a table of gold that was so heavy it required sixteen people to carry it, and there were sixteen chains of silver attached to it, and there were bowls and cups and pitchers and flasks attached to it, and there were all sorts of food, and delicacies, and fragrant spices on it. And when they placed it there they would say: "The earth and all that fills it is God's, the world and all that inhabit it" (Psalms 24:1). And when they removed it they would say: "The heavens are God's heavens, but the earth He gave to mankind" (Psalms 115:16). I said to him: My son, what did you do to merit this? He said to me: I was a slaughterer, and when I would come across parts from every animal that I slaughtered that was fine, I would say: This will be for Shabbat. I said to him: Happy are you that you merited this, and blessed is God, Who has afforded you this merit.

אמר לו קיסר לרבי יהושע בן חנניא: מפני מה תבשיל של שבת ריחו נודף? אמר לו: תבלין אחד יש לנו, ושבת שמו, שאנו מטילין לתוכו – וריחו נודף. אמר לו: תן לנו הימנו! אמר לו: כל המשמר את השבת – מועיל לו, ושאינו משמר את השבת – אינו מועיל לו.

The Roman emperor said to Rabbi Yehoshua ben Hanania: Why does the fragrance of a cooked Shabbat dish diffuse? He said to him: We have a certain spice called dill [*shevet*]^{BN} which we place in the cooked dishes and its fragrance diffuses. The emperor said to him: Give us some of it. He said to him: For anyone who observes Shabbat, the spice is effective, and for one who does not observe Shabbat, it is not effective.

BACKGROUND

Dill [*shevet*] – שֶׁבֶט: The aromatic *shevet*, *Anethum graveolens*, is an annual or biannual plant from the Apiaceae family. The plant reaches a height of 50–80 cm, with small flowers arranged like umbrellas. The plant has a particular fragrance. The leaves that support the lobes are string-like and are used in cooking or to spice cooked food. The seeds of the dill and the oil that is extracted from them are also eaten. During talmudic times, dill was an important spice, cultivated in vegetable gardens. In modern times, it is rarely cultivated; however, it grows wild.



Dill plant

NOTES

Shabbat...*shevet* – שֶׁבֶט...שָׁבֵט: Rabbi Yehoshua is referring to the sanctity of Shabbat, and not to the dill plant, *shevet*, which

was used as a spice. Therefore, he had to explain that only one who observes Shabbat benefits from *shevet*, the spice (Maharsha).

Honoring Yom Kippur – כבוד יום הכפורים – Even though there are no festive meals on Yom Kippur, it is a Festival and a sacred day and must be honored by wearing fine clothes (*Shulhan Arukh, Orah Hayyim* 610:4).

זמן אכילת סעודת – The time for eating the Shabbat meal – The Shabbat meals should be distinguished from weekday meals in every respect. Indeed, if one eats a large meal during the week as one does on Shabbat, the time of the Shabbat meal should be changed (Rema, based on the *Tur*). One should adopt the custom of eating the meal earlier or later based on whatever will make the meal more pleasurable (Rambam *Sefer Zemanim, Hilkhos Shabbat* 30:8; *Shulhan Arukh, Orah Hayyim* 288:7).

NOTES

In the summer Rav Sheshet would seat the Sages – רב – ששת בקיטא מוטיב להו לרבנן: Rashi's emphasis on the fact that Rav Sheshet was blind is not necessary to understand this statement. Rather, Rav Sheshet sat his students there so that they would not tarry there after the lesson, but would leave without prodding and proceed to delight in Shabbat (Maharsha).

HALAKHA

One must recite the passage: And the heavens and the earth were finished [*vaykhullu*] – ויכולו – צריך לומר ויכולו – An individual also recites: Then the heavens and the earth were finished [*vaykhullu*], during the evening prayer of Shabbat (*Shulhan Arukh, Orah Hayyim* 268:1).

A lamp burning and a table set – נר דלוק ושלחן ערוך – It is most appropriate to set the table, make the beds, and prepare other household matters before Shabbat begins, so the house will be ready for Shabbat when people return from the synagogue (Rambam *Sefer Zemanim, Hilkhos Shabbat* 30:5; *Shulhan Arukh, Orah Hayyim* 262:1).

NOTES

A partner with the Holy One, Blessed be He, in the act of Creation – שותף להקדוש ברוך הוא במעשה בראשית – Since the purpose of Creation is for all to acknowledge the greatness of God and to serve Him, by proclaiming one's faith in the Creator one sustains the world (*Or HaHayyim*).

אמר ליה ריש גלותא לרב המנונא: מאי דכתיב "ולקדוש ה' מכובד"? אמר ליה: זה יום הכפורים, שאין בו לא אכילה ולא שתיה. אמרה תורה: כבדהו בכסות נקייה. יכבדתו רב אמר: להקדים, ושמואל אמר: לאחר. אמרו ליה בני רב פפא בר אבא לרב פפא: כגון אנן דשכיח לן בישרא וחמרא כל יומא, במאי נישנייה? אמר להו: אי רגיליתו לאקדומי – אחרונה, אי רגיליתו לאחרונה – אקדומה. רב ששת, בקיטא מוטיב להו לרבנן היכא דמטיא שימשא, בסיתרא מוטיב להו לרבנן היכא דמטיא טולא, כי היכי דליקומו הייא. רבי יורא

The Exilarch said to Rav Hamnuna: What is the meaning of that which is written, "The holy one of God is honored" (Isaiah 58:13)? Rav Hamnuna said to him: That is Yom Kippur, when there is no eating or drinking, and so the Torah said: Honor it with a clean garment.^h And with regard to that which is stated about Shabbat, "And you shall honor it," Rav said: To honor Shabbat, make the Shabbat feast earlier than on other days, in order to show that one delights in eating it. And Shmuel said: To honor Shabbat, make the Shabbat feast later, so that one's appetite will be greater. The sons of Rav Pappa bar Abba said to Rav Pappa: People like us, for whom meat and wine is found on our table every day, in what manner can we change it on Shabbat? He said to them: If you are accustomed to eating your meal early, make it later on Shabbat; if you are accustomed to making it late, make it earlier on Shabbat.^h This difference will underscore the uniqueness of Shabbat. The Gemara relates: In the summer, Rav Sheshet would seat the Sagesⁿ who attended his lecture in a place where the sun would reach; in the winter, he would seat the Sages in a place where the shade would reach. He did this so that they would stand quickly after the lecture ended and not engage in discussion, which would detract from the time devoted to delighting in Shabbat. Rabbi Zeira

Perek XVI

Daf 119 Amud b

מהדר אוזי וזי דרבנן, אמר ליה: במטותא מנייכו, לא תחללוניה.

would seek pairs of Sages engaged in conversation on Shabbat and said to them: Please do not desecrate Shabbat by failing to delight in Shabbat.

אמר רבא ואיתימא רבי יהושע בן לוי: אמילו יחיד המתפלל בערב שבת צריך לומר "ויכולו". דאמר רב המנונא: כל המתפלל בערב שבת ואומר "ויכולו" – מעלה עליו הכתוב כאילו נעשה שותף להקדוש ברוך הוא במעשה בראשית, שנאמר "ויכולו", אל תקרי "ויכולו" אלא ויכול. אמר רבי אלעזר: מניין שהדיבור במעשה – שנאמר: "בדבר ה' שמים נעשו".

Rava said, and some say it was Rabbi Yehoshua ben Levi who said: Even an individual who prays on Shabbat evening must recite the passage: "And the heavens and the earth were finished [*vaykhullu*]" (Genesis 2:1–3),^h as Rav Hamnuna said: Anyone who prays on Shabbat evening and recites the passage of *vaykhullu*, the verse ascribed him credit as if he became a partner with the Holy One, Blessed be He, in the act of Creation.ⁿ As it is stated: "And the heavens and the earth were finished [*vaykhullu*]." Do not read it as: Were finished [*vaykhullu*]; rather, as: They finished [*vaykhallu*]. It is considered as though the Holy One, Blessed be He, and the individual who says this become partners and completed the work together. Rabbi Elazar said: From where is it derived that speech is like action? As it is stated: "By the word of God the heavens were made, and all of their hosts by the breath of His mouth" (Psalms 33:6).

אמר רב חסדא אמר מר עוקבא: כל המתפלל בערב שבת ואומר "ויכולו" שני מלאכי השרת מלוין לו לאדם ממתין ידיו על ראשו ואומרים לו: "וסר עונך וחסאתך תכפר". תניא, רבי יוסי בר יהודה אומר: שני מלאכי השרת מלוין לו לאדם בערב שבת מבית הכנסת לביתו, אחד טוב ואחד רע. וכשבא לביתו ומצא נר דלוק ושלחן ערוך ומטתו מוצעת, מלאך טוב אומר: יהי רצון שתהא לשבת אחרת כך. ומלאך רע עונה: אמן בעל כרחו. ואם לאו, מלאך רע אומר: יהי רצון שתהא לשבת אחרת כך, ומלאך טוב עונה: אמן בעל כרחו.

Rav Hisda said that Mar Ukva said: One who prays on Shabbat evening and recites *vaykhullu*, the two ministering angels who accompany the person at all times place their hands on his head and say to him: "And your iniquity has passed, and your sin has been atoned" (Isaiah 6:7). It was taught in a *baraita*: Rabbi Yosei bar Yehuda says: Two ministering angels accompany a person on Shabbat evening from the synagogue to his home, one good angel and one evil angel. And when he reaches his home and finds a lamp burning and a table set^h and his bed made, the good angel says: May it be Your will that it shall be like this for another Shabbat. And the evil angel answers against his will: Amen. And if the person's home is not prepared for Shabbat in that manner, the evil angel says: May it be Your will that it shall be so for another Shabbat, and the good angel answers against his will: Amen.

Remedy [*melugma*] – מְלוּגְמָא: From the Greek *μάλαγμα*, *malagma*, meaning a bandage placed on a wound.

NOTES

God, faithful King [*el melekh ne'eman*] – אֱלֹהֵי מֶלֶךְ נֶאֱמָן: Rashi explains that the Gemara interprets the Hebrew word *amen* as an acronym for *el melekh ne'eman*, to underscore the importance of answering amen and to explain both why specifically amen is the word employed for this purpose and how it includes the acceptance of the yoke of the kingdom of Heaven.

אָמַר רַבִּי אֶלְעָזָר: לְעוֹלָם יִסְדֵּר אָדָם שְׁלֹחֲנוּ בַּעֲרֵב שַׁבָּת, אֵף עַל פִּי שְׂאִינוּ צָרִיךְ אֵלָּא לְכוּזִית. וְאָמַר רַבִּי חֲנִינָא: לְעוֹלָם יִסְדֵּר אָדָם שְׁלֹחֲנוּ בְּמוֹצָאֵי שַׁבָּת, אֵף עַל פִּי שְׂאִינוּ צָרִיךְ אֵלָּא לְכוּזִית. חֲמִין בְּמוֹצָאֵי שַׁבָּת – מְלוּגְמָא, פֶּת חֲמָה בְּמוֹצָאֵי שַׁבָּת – מְלוּגְמָא. רַבִּי אֲבָהוּ הוּא עֲבָדִין לִיה בְּאַפּוֹקֵי שַׁבָּתָא עֵינְלָא תִּלְתָּא, הוּא אֲכִיל מִינֵיהּ כּוֹלִייתָא. כִּי גָדַל אֲבִימִי בְּרִיָּה, אָמַר לִיה: לָמָּה לָךְ לֹא־סוּדֵי כּוֹלִי הָאֵי? נִשְׁבּוֹק כּוֹלִייתָא מִמַּעַלִּי שַׁבָּתָא. שְׁבָקוּהוּ, וְאַתָּא אֵרִיא אֲכִלֶּיהָ.

אָמַר רַבִּי יְהוֹשֻעַ בֶּן לֵוִי: כָּל הָעוֹנָה "אָמֵן" יִהְיֶה שְׁמִיָּהּ רַבָּא מְבָרַךְ "בְּכָל כָּחוֹ – קוֹרְעִין לוֹ גִּזְרֵי דִּינֵו, שְׁנֵאָמַר: "בְּפָרוּעַ פְּרָעוֹת בִּישְׂרָאֵל בְּהִתְנַדֵּב עִם בְּרֻכּוֹ ה'". מֵאֵי טַעְמָא "בְּפָרוּעַ פְּרָעוֹת" – מִשּׁוּם ד' בְּרֻכּוֹ ה'. רַבִּי חִיָּיא בַר אֲבָא אָמַר רַבִּי יוֹחָנָן: אֲפִילוּ יֵשׁ בּוֹ שְׁמֵךְ שֶׁל עֲבוּדָה זָרָה – מוֹחֲלִין לוֹ, כְּתִיב הָכָא "בְּפָרוּעַ פְּרָעוֹת" וּכְתִיב הָתֵם "כִּי פָרוּעַ הוּא". אָמַר רִישׁ לִקְיִשׁ: כָּל הָעוֹנָה אָמֵן בְּכָל כָּחוֹ – פּוֹתְחִין לוֹ שְׁעָרֵי גֶן עֵדֶן, שְׁנֵאָמַר: "פִּתְחוּ שְׁעָרִים וַיָּבֹא גוֹי צָדִיק שׁוֹמֵר אֲמוּנִים". אֵל תִּיקְרִי 'שׁוֹמֵר אֲמוּנִים' אֵלָּא 'שְׂאוּמְרִים אָמֵן'. מֵאֵי אָמֵן? אָמַר רַבִּי חֲנִינָא: אֵל מֶלֶךְ נֶאֱמָן.

אָמַר רַב יְהוּדָה בְּרִיָּה דְרַב שְׁמוּאֵל מִשְׁמִיָּה דְרַב: אֵין הִדְלִיקָה מְצוּיָה אֵלָּא בְּמָקוֹם שֶׁיֵּשׁ חִילּוּל שַׁבָּת, שְׁנֵאָמַר: "וְאִם לֹא תִשְׁמְעוּ אֵלַי לִקְדֹשׁ אֶת יוֹם הַשַּׁבָּת וּלְבַלְתִּי שְׂאֵת מִשָּׂא גוֹ' וְהִצַּתִּי אֵשׁ בְּשַׁעְרֶיהָ וְאֲכָלָה אֲרָמְנוֹת יְרוּשָׁלַיִם וְלֹא תִכָּבֵּד". מֵאֵי "וְלֹא תִכָּבֵּד"? אָמַר רַב נַחֲמָן בַּר יִצְחָק: בְּשַׁעֲרָה שְׂאִין בְּנֵי אָדָם מְצוּיִין לְכַבּוֹתָהּ. אָמַר אֲבִי: לֹא חֲרָבָה יְרוּשָׁלַיִם אֵלָּא בְּשִׁבְלִי שְׁחָלְלוּ בָּהּ אֶת הַשַּׁבָּת, שְׁנֵאָמַר: "וּמִשְׁבָּתוֹתַי הָעֲלִימוּ עֵינֵיהֶם וְאַחֵל בְּתוֹכֶם".

Rabbi Elazar said: A person should always set his table^H on Shabbat eve with all the preparations for an important feast, even if he only needs the table set for an olive-bulk of food. And Rabbi Hanina said: A person should always set his table at the conclusion of Shabbat,^H Saturday night, for a feast in deference to the Shabbat that passed, even if he only needs the table set for an olive-bulk of food. And with regard to the meal at the conclusion of Shabbat, they said: Hot water after Shabbat is a remedy [*melugma*],^L warm bread at the conclusion of Shabbat is a remedy. The Gemara relates: They would prepare for Rabbi Abbahu at the conclusion of Shabbat a third-born calf, and he would eat one kidney from it. When his son Avimi grew up, he said to his father: Why do you waste so much? Let us leave a kidney over from Shabbat eve, and you will not need to slaughter an entire calf for that purpose. Indeed, they left the calf and did not slaughter it, and a lion came and ate it. This teaches that one should not be miserly when it comes to honoring Shabbat.

Apropos the reward for honoring Shabbat, the Gemara cites statements about the reward for answering amen. Rabbi Yehoshua ben Levi said that anyone who answers: Amen, may His great name be blessed, wholeheartedly, with all his might, they rip his sentence, as it is stated: "When punishments are annulled in Israel, when the people offer themselves, bless the Lord" (Judges 5:2). What is the reason for when punishments are annulled? Because the Jewish people blessed God. When one recites: Amen, may His great name be blessed, and blesses God, his punishment is annulled. Rabbi Hiyya bar Abba said that Rabbi Yohanan said: Even if one has within him a trace of idolatry, when he answers amen he is forgiven. It is written here, in the verse above: "When punishments [*pera'ot*] are annulled." And it is written there, with regard to the sin of the Golden Calf: "And Moses saw that the nation was wild [*paru'a*], for Aaron had let them loose for anyone who might rise against them" (Exodus 32:25). Even one with the wildness of idolatry is forgiven. Reish Lakish said: One who answers amen^H with all his strength, they open the gates of the Garden of Eden before him, as it is stated: "Open the gates, and a righteous nation shall come who keeps the faith" (Isaiah 26:2). Do not read: Who keeps [*shomer*] the faith [*emunim*], but rather: Who say [*she'omerim*] amen. What is the allusion of the word *amen*? Rabbi Hanina said: It is an acronym of the words: God, faithful King [*El Melekh ne'eman*].^N

Rav Yehuda, son of Rav Shmuel, said in the name of Rav: Fire is only found in a place where there is desecration of Shabbat, as it is stated: "And if you do not heed Me to sanctify the day of Shabbat, and to refrain from carrying burdens and come to the gates of Jerusalem on the day of Shabbat, and I will light a fire in its gates and it will consume the palaces of Jerusalem and it will not be extinguished" (Jeremiah 17:27). The Gemara asks: What is the meaning of: And it will not be extinguished? Rav Nahman bar Yitzhak said: Fire will break out at a time when people are not found to extinguish it. Abaye said: Jerusalem was destroyed only because people desecrated the Shabbat in it, as it is stated: "And from My Shabbatot they averted their eyes, and I was profaned among them" (Ezekiel 22:26). Several punishments were decreed to befall Jerusalem as punishment for this transgression.

HALAKHA

לְעוֹלָם יִסְדֵּר אָדָם – אָדָם: A person should always set the table for the meal on Shabbat evening to honor the Shabbat, even if one will only eat an olive-bulk of food (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 30:5).

לְעוֹלָם יִסְדֵּר אָדָם שְׁלֹחֲנוּ בְּמוֹצָאֵי שַׁבָּת – אָדָם: One should set the table after Shabbat to honor the departure of Shabbat in a

manner similar to the beginning of Shabbat, even if one will only eat an olive-bulk of food. This is the meal known as the meal accompanying the queen [*melaveh malka*] (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 30:5; *Shulhan Arukh*, *Orah Hayyim* 300).

כָּל הָעוֹנָה אָמֵן – אָמֵן: During the recitation of the *kaddish*, one should concentrate and answer amen aloud (Rambam *Sefer Ahava*, *Hilkhot Tefilla* 9:1; *Shulhan Arukh*, *Orah Hayyim* 56:1).

אמר רבי אבהו: לא חרבה ירושלים אלא בשביל שביטלו קריאת שמע שחרית וערבית, שנאמר: "הוי משכמי בבקר שכר ירדפו וגו'", וכתוב: "והיה כגור ונבל תוף וחליל ויין משתיהם ואת פועל ה' לא יביטו", וכתוב: "לכן גלה עמי מבלי דעת".

אמר רב המנונא: לא חרבה ירושלים אלא בשביל שביטלו בה תינוקות של בית רבן, שנאמר: "שפוך על עולל בחוץ וגו'" מה טעם 'שפוך' – משום ד'עולל בחוץ'. אמר עולא: לא חרבה ירושלים אלא מפני שלא היה להם בוש פנים זה מזה, שנאמר: "הובישו כי תועבה עשו גם בוש לא יבושו וגו'". אמר רבי יצחק: לא חרבה ירושלים אלא בשביל שהושו קטן וגדול, שנאמר: "והיה כעם ככהן", וכתוב בתריה: "הבוק תבוק הארץ".

אמר רב עמרם בריה דרבי שמעון בר אבא אמר רבי שמעון בר אבא אמר רבי חנינא: לא חרבה ירושלים אלא בשביל שלא הוכיחו זה את זה, שנאמר: "היו שריה באילים לא מצאו מרעה". מה איל זה ראשו של זה בצד ונבו של זה – אף ישראל שבאותו הדור, כבשו פניהם בקרקע ולא הוכיחו זה את זה. אמר רבי יהודה: לא חרבה ירושלים אלא בשביל שביו בה תלמידי חכמים, שנאמר: "ויהיו מלעיבים במלאכי האלהים ובזוים דבריו ומתעצנים בנביאיו עד עלות חמת ה' בעמו עד [ל]אין מרפא". מאי "עד לאין מרפא"? אמר רב יהודה אמר רב: כל המבזה תלמידי חכמים אין לו רפואה למכתו.

The Gemara suggests additional reasons for the destruction of Jerusalem. Rabbi Abbahu said: Jerusalem was destroyed only because its citizens intentionally omitted recitation of *Shema* morning and evening, as it is stated: "Woe to those who rise early in the morning and pursue the drink and are aflame from wine until late in the evening" (Isaiah 5:11). And it is written in the continuation of that passage: "And their drinking parties have lyre and lute, drum and flute and wine, and they do not look upon the actions of God, and they do not see His hands' creations" (Isaiah 5:12). This means that in the morning and evening, when the Jews should have been reciting *Shema*, they were drinking wine and liquor. And it is written in that passage: "Therefore My nation is being exiled for its ignorance; its honor will die of hunger and its multitudes will be parched with thirst" (Isaiah 5:13).

Rav Hamnuna said: Jerusalem was destroyed only because school-children there were interrupted from studying Torah, as it is stated: "And I am filled with the wrath of God, I cannot contain it, pour it onto the infants in the street and onto the gathering of youths together, for men and women alike will be captured, the elderly along with those of advanced years" (Jeremiah 6:11). Rav Hamnuna explains: What is the reason that the wrath is poured? It is because infants are outside in the streets and are not studying Torah.

Ulla said: Jerusalem was destroyed only because people had no shame before each other, as it is stated: "They acted shamefully; they have performed abominations, yet they neither were ashamed nor did they know humiliation. Therefore, they will fall among the fallen, they will fail at the time that I punish them, said God" (Jeremiah 6:15).

Rabbi Yitzhak said: Jerusalem was destroyed only because its small and the great citizens were equated. They did not properly value the prominent leaders of their generation, as it is stated: "And the common people were like the priest, the slave like his master, the maidservant like her mistress, the buyer like the seller, the lender like the borrower, the creditor like the one indebted to him" (Isaiah 24:2). And it is written afterward: "The land shall be utterly desolate and completely plundered, for God has said this" (Isaiah 24:3).

Rav Amram, son of Rabbi Shimon bar Abba, said that Rabbi Shimon bar Abba said that Rabbi Hanina said: Jerusalem was destroyed only because the people did not rebuke one another, as it is stated: "Her ministers were like stags that found no pasture, and they walked without strength before their pursuer" (Lamentations 1:6). Just as this stag turns its head toward the other's tail when it grazes, and each one feeds on its own, so too, the Jewish people in that generation lowered their faces to the ground and did not rebuke one another.

Rabbi Yehuda said: Jerusalem was destroyed only because they disparaged the Torah scholars in it, as it is stated: "And they mocked the messengers of God and disdained His words and taunted His prophets, until the wrath of God arose against His people, until it could not be healed" (11 Chronicles 36:16). What is the meaning of: Until it could not be healed? Rav Yehuda said that Rav said: It means that anyone who disparages Torah scholars^H cannot be healed from his wound.^N

HALAKHA

Anyone who disparages Torah scholars – כל המבזה תלמידי חכמים: It is a great sin to disparage a Torah scholar, even with words alone and even if the scholar is not present. The court has the power to ostracize one

who disparaged a Torah scholar until he is forgiven by the Sage whom he insulted (Rambam *Sefer HaMadda*, *Hilkhot Talmud Torah* 6:1; *Shulhan Arukh*, *Yoreh De'a* 243:7).

NOTES

Cannot be healed from his wound – אין לו רפואה למכתו: This statement is supported by various verses (see 1 Kings 13) that indicate that God is forgiving with regard to His own honor but does not forgive

the disparagement of His messengers and the righteous. Therefore, one who disparages Torah scholars will certainly be punished (*Hayot Ya'ir*).

NOTES

Do not touch my anointed ones, these are the schoolchildren – אלו תינוקות של בית רבן: See Rashi, who cites a reason for this interpretation. Other commentaries explain that the children were called: My anointed ones, because the Gemara states that children's study of Torah sustains the world and brings redemption. Consequently, there is an aspect of Messiah in schoolchildren (*Iyyun Ya'akov*).

HALAKHA

One may not interrupt schoolchildren – אין מבטלין: One may not interrupt the Torah study of schoolchildren for any reason, even for a great mitzva, e.g., building the Temple (Rambam *Sefer HaMadda*, *Hilkhot Talmud Torah* 2:2; *Shulhan Arukh*, *Yoreh De'a* 245:13).

A city in which there are no schoolchildren – עיר שאין בה תינוקות של בית רבן: Every city is obligated to establish a school where children are taught Torah. If the children of a city do not study Torah, the inhabitants must rectify the situation. Severe measures, including excommunication, are aimed at residents of a city who fail to establish a school (Rambam *Sefer HaMadda*, *Hilkhot Talmud Torah* 2:1; *Shulhan Arukh*, *Yoreh De'a* 245:7).

אמר רב יהודה אמר רב: מאי דכתיב "אל תגעו במשיחי ובנביאי אל תרעו"? "אל תגעו במשיחי" – אלו תינוקות של בית רבן, "ובנביאי אל תרעו" – אלו תלמידי חכמים. אמר ריש לקיש משום רבי יהודה נשיאה: אין העולם מתקיים אלא בשביל הבן תינוקות של בית רבן. אמר ליה רב פפא לאביו: דידי ודידך מאי? אמר ליה: אינו דומה הבל שיש בו חטא, להבל שאין בו חטא. ואמר ריש לקיש משום רבי יהודה נשיאה: אין מבטלין תינוקות של בית רבן אפילו לבנין בית המקדש. ואמר ריש לקיש לרבי יהודה נשיאה: כך מקובלני מאבותי, ואמרי לה מאבותיך: כל עיר שאין בה תינוקות של בית רבן – מחריבין אותה. רבינא אמר: מחריבין אותה.

ואמר רבא: לא חרבה ירושלים אלא בשביל שפקסו ממנה אנשי אמנה, שנאמר: "שוטטו בחיצות ירושלים וראו נא ודעו ובקשו ברחובותיה אם תמצאו איש" (אם יש איש) עושה משפט מבקש אמנה ואסלח לה. איני?! והאמר רב קטינא: אפילו בשעת כשלונה של ירושלים לא פקסו ממנה אנשי אמנה, שנאמר: "כי יתפש איש באחיו בית אביו (לאמר) שמלה לכה קצין תהיה לנו" – דברים שבני אדם מתבסין בהן בשמלה ישגן בידיו, והמכילה הזאת תחת ידיו.

Rav Yehuda said that Rav said: What is the meaning of that which is written: "Do not touch My anointed ones and do My prophets no harm" (1 Chronicles 16:22)? "Do not touch My anointed ones," these are the schoolchildren,ⁿ who are as precious and important as kings and priests (Maharsha); "and do not harm My prophets," these are Torah scholars. Reish Lakish said in the name of Rabbi Yehuda Nesia: The world only exists because of the breath, i.e., reciting Torah, of schoolchildren. Rav Pappa said to Abaye: My Torah study and yours, what is its status? Why is the Torah study of adults worth less? He said to him: The breath of adults, which is tainted by sin, is not similar to the breath of children, which is not tainted by sin. And Reish Lakish said in the name of Rabbi Yehuda Nesia: One may not interrupt schoolchildrenⁿ from studying Torah, even in order to build the Temple. And Reish Lakish said to Rabbi Yehuda Nesia: I have received from my ancestors, and some say that he said to him: I have received from your ancestors as follows: Any city in which there are no schoolchildrenⁿ studying Torah, they destroy it. Ravina said: They leave it desolate.

And Rava said: Jerusalem was destroyed only because there were no more trustworthy people there, as it is stated: "Roam about the streets of Jerusalem and see, and search its plazas, if you can find a person, who acts justly, who seeks integrity, that I should forgive it" (Jeremiah 5:1). The Gemara asks: Is that so? Didn't Rav Ketina say: Even at the time of Jerusalem's failure, trustworthy people did not cease there, as it is stated: "For a man will grab his brother of his father's house and say: You have a garment. Come be a chief over us and let this ruin be under your care" (Isaiah 3:6)? Things that people use to cover up like a garment, secrets, are in your hands and you know about them. Therefore, you should be a leader of the community. And that which is stated: "And let this ruin be under your care," meaning:

Perek XVI

Daf 120 Amud a

דברים שאין בני אדם עומדין עליהם אלא אם כן נכשלים בהן ישגן תחת ידיך קצין תהיה לנו. "ישא ביום ההוא לאמר לא אהיה חובש וגו'". אין "ישא" אלא לשון שבועה, וכן הוא אומר: "לא תשא את שם ה'". "לא אהיה חובש" – לא אהיה מחובשי עצמן בבית המדרש, "ובביתי אין לחם ואין שמלה" – שאין בידי לא מקרא ולא משנה ולא גמרא. וממאי? דילמא שאני התם, דאי אמר להו גמירנא, אמרו ליה: אימא לן! הוה ליה למימר: גמר ושכח. מאי "לא אהיה חובש" – כלל. לא קשיא, כאן – בדברי תורה, כאן – במשא ומתן.

Matters of Torah that people do not ascertain unless they misunderstand them are in your hands; therefore, be a chief over us. It is stated later on in that passage: "He will rise [yissa] on that day, saying, I will not be a ruler while in my house there is no bread and no garment, you shall not appoint me as chief of the people" (Isaiah 3:7). The term rise [yissa] means nothing other than an oath, as it says: "Do not raise [tissa] the name of the Lord your God in vain" (Exodus 20:17). I will not be a ruler, means: I will not be one of those who close themselves up in the study hall, as I do not regularly do so, while in my house there is no bread and no garment, for I have neither Bible nor Mishna nor Gemara in my hands. According to this explanation, there were people of faith who truthfully admitted that they did not study Torah, even during the time of the destruction of Jerusalem. The Gemara rejects this: And from what do you conclude that this admission was due to their faithfulness? Perhaps it is different in that case, as had he told them: I studied Torah, they would have said to him: Tell us what you studied. As he would not know to respond, he would have no choice other than to admit that he did not study. The Gemara rejects this: That is not difficult, as he could have at least said he learned and forgot. The Gemara asks: Therefore, what is: I will not be a ruler? It means that he is telling the truth and although he could have lied, he admits that he did not study Torah at all. The Gemara answers: This is not difficult. Here, where it was taught that they were faithful, that was with regard to matters of Torah; whereas here, where it was taught that there were no more people of faith in Jerusalem, that was with regard to matters of business.

And one may say to others: Come and rescue for yourselves – **וְאָמַר לְאַחֵרִים: בּוֹאוּ וְהַצִּילוּ לָכֶם** – It is explained in the Jerusalem Talmud: Since one is permitted to invite guests and feed them and clothe them on Shabbat, one may also invite others to come and rescue food and clothes for themselves as they are potential guests. Some commentaries teach that the others may rescue items in any manner that they choose. Since it is not their property, there is no concern lest they extinguish the fire in their agitation (Rabbi Yeshaya of Terani as cited in the Ran).

And if the people were clever – **וְאִם הָיוּ פִּיקְחִין** – In the Jerusalem Talmud, it is asserted that the novel element in this statement is that if the rescuers return the objects to their owner on Shabbat and did not take ownership of them, they may receive direct payment after Shabbat and not merely take ownership of the ownerless property. This is the Rambam's interpretation in his Commentary on the Mishna.

One who comes to collect – **בָּא לְקַפֵּל** – Some commentaries explain that this refers to pouring the contents of a small vessel into a large vessel, and not to attaching two vessels together (Ramban).

MISHNA One may rescue a basket^H full of loaves and the like from a fire on Shabbat, even if there is food for one hundred meals in it. And one may rescue a round cake of dried figs, even though it is very large, and one may rescue a barrel full of wine. And one may even say to others: Come and rescue for yourselves.^N And if the people who rescue with him were clever,^N they make a calculation with him after Shabbat in order to receive payment for the items that they rescued.

To where may one rescue items moved from the fire?^H One may do so to a courtyard where an *eiruv* was established, and it is permitted to carry. Ben Beteira says: One may do so even to a courtyard where an *eiruv* was not established. And one may carry there all the utensils,^H and put on all the garments that he can wear, and one may wrap all the cloths that he can wrap around himself in order to rescue his property. Rabbi Yosei says: One may put on only eighteen garments at once, as people sometimes wear that number of garments, but not more. However, one may again put on that number of garments^H and carry it out. And he may say to others: Come and rescue with me.

GEMARA The Gemara asks: Wasn't it taught in the first clause, i.e., the preceding mishna, that one may rescue three meals and no more? Rav Huna said: This is not difficult. This current mishna permitted rescuing a greater amount when one comes to rescue a basket or round cake of figs; that previous mishna permitted rescuing food for only three meals in a case where one comes to collect^N the food. When one comes to rescue, he may rescue everything; when one comes to collect, he may collect food for only three meals. However, Rabbi Abba bar Zavda said that Rav said: Both this and that are referring to a case where one comes to collect, and this is not difficult. This current mishna permitted rescuing a greater amount when one moves the objects to the same courtyard; that, the previous mishna, permitted saving food for only three meals when one transfers it to a different courtyard. Rav Huna, son of Rav Yehoshua, raised a dilemma: If one spread his cloak on the ground and collected and placed objects in the cloak,^H and collected and placed objects inside it, what is the ruling? Is he considered as one who comes to rescue or is he like one who comes to collect?

The Gemara attempts to resolve the dilemma from that which Rava said: Rav Sheizvi misled Rav Hisha, and Rav Hisha taught (Rabbeinu Hanel) a *halakha* with regard to a barrel that breaks on a roof, and added: And it is permitted provided that one does not bring a vessel that holds more than three meals. Conclude from the fact that Rava said that Rav Hisha's restriction of the amount that can be rescued to food sufficient for three meals is mistaken, that one who takes a large amount all at once is like one who comes to rescue, and he may well do so. Rav Nahman bar Yitzhak said to Rava: What is the error in Rav Hisha's statement? Perhaps it is actually prohibited. He said to him, as it is taught: Provided that he does not bring another vessel and place it on the ground to catch the liquid, another vessel and attach the vessel next to the roof. Apparently it is another vessel that one may not bring, but in that same vessel, one may rescue as much as he wants, and the Sages did not establish a maximum size for the vessel.

HALAKHA

One may rescue a basket – **מַצִּילִין סַל** – It is permitted to rescue a single vessel from a fire, even if it contains enough food for a hundred meals (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:22–23; *Shulḥan Arukh*, *Orah Hayyim* 334:6).

To where may one rescue items moved from the fire – **לְהִיכִן** – **מַצִּילִין אוֹתָן**: One may only rescue objects by moving them into a courtyard that is joined to the owner's courtyard by an *eiruv*, in accordance with the opinion of the first *tanna* in the mishna (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:20; *Shulḥan Arukh*, *Orah Hayyim* 334:17).

One may carry there all the utensils – **מּוֹצִיא כָּל בְּלִי תְּשְׁמִישׁוֹ**:

It is permitted to rescue eating utensils needed for the entire day and carry them to a courtyard that is joined to the owner's courtyard by an *eiruv* (*Magen Avraham*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:20; *Shulḥan Arukh*, *Orah Hayyim* 334:7).

And put on garments... and one may again put on garments – **וְלִבֵּשׁ... וְחוֹזֵר וְלִבֵּשׁ**: One who wants to rescue clothing from a fire may put on garments, walk to a safe place, undress, return, and put on other garments, as stated in the mishna. There is an opinion that ascribes the phrase: One may again put on garments, in the mishna to Rabbi Yosei, indicating that repeated trips to save clothing are permitted. However, since

the *halakha* is not in accordance with the opinion of Rabbi Yosei in a dispute with an unattributed mishna, it is permitted to return and put on garments only once (*Beit Yosef*, based on the Rambam). This approach was not accepted as the normative *halakha* (Vilna Gaon and others; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:25; *Shulḥan Arukh*, *Orah Hayyim* 334:8).

One who comes to rescue in his cloak – **הָבֵא לְהַצִּיל בְּטִלִית**: One who seeks to rescue objects from a fire on Shabbat may spread out a cloak and place many items in it, provided that they are removed all at once, in accordance with the opinion of Rava (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:23; *Shulḥan Arukh*, *Orah Hayyim* 334:6).

מתני' מצילין סל מלא כפרות – אף על פי שיש בו מאה סעודות, ועיגול של דבילה, וחבית של יין. ואומר לאחרים: בואו והצילו לכם. ואם היו פיקחין – עושין עמו חשבון אחר השבת.

לְהִיכִין מַצִּילִין אוֹתָן? לְחֶצֶר הַמְעוֹרְבָת. בֵּן בֵּתֵירָא אוֹמֵר: אִף לְשֵׂאִינָהּ מְעוֹרְבָת. וְלִשְׁם מוֹצִיא כָּל בְּלִי תְּשְׁמִישׁוֹ, וְלִבֵּשׁ כָּל מָה שְׂכֹבֵל לְלִבּוֹשׁ, וְעוֹטֵף כָּל מָה שְׂכֹבֵל לְעוֹטֵף. רַבִּי יוֹסִי אוֹמֵר: שְׂמֹנֶה עָשָׂר בָּלִים. וְחוֹזֵר וְלִבֵּשׁ וּמוֹצִיא, וְאֹמֵר לְאַחֵרִים: בּוֹאוּ וְהַצִּילוּ עִמִּי.

גמ' והא תנא ליה רישא " שלש סעודות" ותו לא! אמר רב הונא: לא קשיא, כאן – בבא להציל, כאן – בבא לקפל. ובא להציל – מציל את בולן, בא לקפל – אינו מקפל אלא מזון שלש סעודות. רבי אבא בר ובדא אמר רב: אידי ואידי בבא לקפל, ולא קשיא: כאן – לאותה חצר, כאן – לחצר אחרת. בעי רב הונא בריה דרב יהושע: פירש טליתו, וקיפל והניח, וקיפל והניח, מאי? בבא להציל דמי, או בבא לקפל דמי?

מִדְאָמַר רַבָּא: אֲטַעֲיָה רַב שִׁיזְבִּי לְרַב חֲסִדָּא, וּדְרִשׁ: וּבִלְבָד שְׁלֵא יָבִיא בְּלִי שְׁהוּא מַחְזִיק יוֹתֵר מִשְׁלֹשׁ סְעוּדוֹת – שְׁמַע מִינָּה: כָּבֵא לְהַצִּיל דְּמִי, וְשִׁפִּיר דְּמִי. אָמַר לִיה רַב נַחֲמָן בֶּר יִצְחָק לְרַבָּא: מַאי טַעוּתָא? אָמַר לִיה, דְּקָתַנְי: וּבִלְבָד שְׁלֵא יָבִיא כְּלִי אַחֵר וְיִקְלוּט, כְּלִי אַחֵר וְיִצְרֵף. כְּלִי אַחֵר הוּא דְלֵא, אֲבָל בְּהַהוּא מָנָא – כְּמָה דְּבִעֵי מַצִּיל.

NOTES

An attribute of piety...with one who is Heaven-fearing – **מדת חסידות...בירא שמים**: Judging from the Gemara here and elsewhere, one who is Heaven-fearing or sin-fearing is praiseworthy, but he has not reached the level of piety. That was only attributed to a limited number of people who were exemplary in Torah knowledge, virtuous character traits and interpersonal relations.

LANGUAGE

Cloak [miktoren] – **מקטורן**: From the Latin amictorium, meaning a garment that one throws on one's shoulders or a light garment that does not directly touch the body, generally worn by women.

Cape [unkali] – **אונקלי**: From the Greek ἀνάκωλος, *anakolos*, meaning a type of skirt or short robe.

Wide linen garment [kalbus] – **קלבוס**: From the Greek κολόβιον, *kolobiyon*, meaning a type of shirt without sleeves or with short sleeves.

Socks [anpilaot] – **אנפילאות**: From the Greek ἐμπίλια, *empiliya*, meaning a shoe made of felt.

Boots [pargod] – **פרגוד**: Apparently adapted from Persian to the Greek παραγαύδιον, *paragodiya*, and then to the Latin paragauda. It means a garment with sleeves that is decorated with purple dye [argaman].

“ועיגול של דבילה כו.” חשבון מאי עבדתיה? מהפקירא קובו! אמר רב חסדא: מדת חסידות שנו כאן. אמר רבא: חסדי אגרא דשבתא שקלי? אלא אמר רבא: הכא בירא שמים עסקינן, ולא נחא ליה דליתיה מאחרים, ובחנם נמי לא נחא ליה דליתיה. והכי קאמר: ואם היו פיקחין, דידעי דכהאי גוונא לאו שבר שבת הוא – עושין עמו חשבון לאחר השבת.

“וליהיבן מצילין כו.” מאי שנא הכא דקתני ‘לכם’, ומאי שנא הכא דקתני ‘עמך’? אמרי: גבי מוונות קתני ‘לכם’ – משום דלא קא חזו אלא מוון שלש סעודות, אבל גבי לבושים קתני ‘עמך’ – משום דקחוי ליה לבויל יומא.

תנו רבנן: לביש מוציא ופושט, וחזור ולביש מוציא ופושט, ואפילו כל היום כולו – דברי רבי מאיר. רבי יוסי אומר: שמנה עשר בלים, ואילו הם שמנה עשר בלים: מקטורן, אונקלי, ופוגדא. קלבוס של פשתן, וחלוק, ואפיליות, ומעפורת, ושני ספרקין, ושני מנעלים, ושני אנפילאות, ושני פרגד, וחגור שבמתניו, וכובע שבראשו, וסידר שבצוארו.

מתני' רבי שמעון בן ננס אומר: פורסין עור של גדי על גבי שידה תיבה ומגדל שאחת בהן את האור, מפני שהוא מחרך. ועושין מחיצה בכל הכלים, בין מלאין בין ריקנים, בשביל שלא תעבור הדליקה. רבי יוסי אומר בכלי חרס חדשים מלאין מים, לפי שאין יכולין לקבל את האור, והן מתבקעין ומכבין את הדליקה.

And we learned in the mishna that one is permitted to rescue a round cake of dried figs from a fire, and one may even say to others: Come and rescue for yourselves. And if the people who rescue with him are clever, they make a calculation with him after Shabbat. The Gemara is surprised at this: **What is the mention of a calculation doing here? Aren't they acquiring food from ownerless property?**^{2H} What calculation is necessary here? Whatever they rescue is theirs, and they do not need to return it to the original owner. Rav Hisda said: **They taught an attribute of piety here.** These are pious people. They want to return the objects to their owner even though they are not legally obligated to do so, and they were permitted to receive payment for their efforts. Rava said: And do pious people take payment for work they do on Shabbat? Rather, Rava said: **Here, we are dealing with one who is Heaven-fearing^N but not completely pious. And it is uncomfortable for him to benefit from the property of others, and it is also uncomfortable for him to exert himself for free. And this is what the mishna is saying: And if they are clever and know that in a situation of this kind it is not technically payment for Shabbat labor, and it is permitted because they are only receiving a small portion of the value of the objects that they rescued, they may make a calculation with him after Shabbat.**

We learned in the mishna that one may say to others: Come and rescue for yourselves. We also learned: **And to where may one rescue the food?** According to the first *tanna*, one may rescue to a courtyard in which an *eiruv* was established. According to ben Beteira, one may rescue even to a courtyard in which an *eiruv* was not established. The Gemara asks: **What is different here**, with regard to rescuing food, **that it is taught** that one may say to others: Come and rescue for yourselves, and what is different here, with regard to rescuing clothing, **that it is taught** that one may say to others: Come and rescue with me? The Gemara answers: **With regard to food, it taught: For yourselves, because only food for three meals is suited for him, and only others can benefit from the rest. However, with regard to the garments, it is taught: With me, because it is suited for him to continue rescuing garments all day, since he is permitted to wear other clothes.**

The Sages taught in a *baraita*: If one wants to rescue objects from a fire and there are many garments there, he may wear them, and take them out to a safe place, and remove them there, and return to the fire, and wear other clothes, and take them out and remove them. And he may even do so all day long; this is the statement of Rabbi Meir. Rabbi Yosei says: One may wear only eighteen garments, and these are the eighteen garments: A cloak [miktoren],^L a cape [unkali],^L a broad garment worn on one's shoulders, and a large hollow belt worn over the clothes, a wide linen garment [kalbus],^L and a robe worn against the skin, a robe wrapped above, and a kerchief on one's head, and two straps, i.e., belts, and two shoes, and two socks [anpilaot],^L and two tall boots [pargod],^L and a belt around one's loins over the robe, and a hat on one's head, and a scarf around one's neck.

MISHNA Rabbi Shimon ben Nannas says: One may spread out a moist goat's hide^H over a box, a chest, or a closet that caught fire, because the fire singes and does not burn it. The fire does not burn the wet goat's hide but merely singes it, and by doing so the wooden vessels are preserved. And one may establish a barrier against the fire with all vessels,^H both full and empty, so that the fire will not pass. Rabbi Yosei prohibits using new earthenware vessels full of water, because they cannot withstand the heat of the fire and they will burst and extinguish the fire, and it is prohibited to cause the fire to be extinguished on Shabbat even indirectly.

HALAKHA

Acquiring from ownerless property – **מהפקיר קובו**: If one tells others: Come and rescue for yourselves, they can put on whatever clothes they want and are permitted to keep anything they rescue. It is as if they acquired ownerless property. If they want to return the objects later and be rewarded for their efforts, they may do so. That money would not be considered prohibited payment for labor on Shabbat (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:24; *Shulhan Arukh*, *Orah Hayyim* 334:9).

One may spread out a goat's hide – **של גדי פורסין עור**: If a chest caught fire, it is permitted to spread a wet goat's hide or the like on the part of the chest that is not on fire, to prevent the entire chest from burning, in accordance with the opinion of Rabbi Shimon ben Nannas (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 12:5; *Shulhan Arukh*, *Orah Hayyim* 334:22).

And one may establish a barrier with all vessels – **ועושין**

מחיצה בכל הכלים: It is permitted to erect a barrier to stop a fire from spreading using any type of vessel, including new earthenware vessels filled with water, because it is permitted to indirectly extinguish a fire. Some authorities state that this is only permitted in a situation where otherwise one will suffer significant monetary loss (*Mordekhai*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 12:4; *Shulhan Arukh*, *Orah Hayyim* 334:22 and the comments of the Rema).

מצד אחד טלית שאחז – If a garment began burning on one side, one may spread it out and cover himself in it without concern that the fire will be extinguished. Some authorities say that this applies only when he has no intention of extinguishing the fire (*Beit Yosef* based on the *Tur*). The *Magen Avraham* adds an additional stipulation: One may not perform an act that is likely to contribute to extinguishing the fire.

Some authorities prohibit pouring liquids onto the part of the garment that is not on fire, in accordance with the challenge posed in the Gemara (Rif and others). Others permit dousing the garment with water, in accordance with the opinion of Rav (Rambam). A third opinion permits using liquids other than water, due to the concern that by dousing the garment with water one performs the prohibited labor of laundering the garment (*Tosafot; Tur*). Later authorities ruled in accordance with the last opinion (Rambam *Sefer Zemanim, Hilkhos Shabbat* 12:6; *Shulhan Arukh, Oraḥ Hayyim* 334:23–24).

HALAKHA

נר שעל גבי הטבלה – If one forgot a candle atop a board before Shabbat, and he needs the board on Shabbat, he may shake the board so the candle falls. If the candle was burning, he is permitted to shake the board only provided that he does not intend to extinguish the candle. This rule applies only to a wax candle. However, an oil lamp that is burning may not be shaken off a board, since it will certainly decrease the flame (*Tosafot; Rosh; Ran*). Nevertheless, even with regard to a wax candle, it is preferable to have a non-Jew to shake it off the board (*Kol Bo*).

If one did not forget the candle on the board but left it there intentionally, it is prohibited to shake it off, since the board itself is a base for a prohibited object and may not be moved, in accordance with the opinion of the school of Rabbi Yanai (Rambam *Sefer Zemanim, Hilkhos Shabbat* 12:6; *Shulhan Arukh, Oraḥ Hayyim* 277:3).

A candle behind a door – If there is a kindled lamp behind a door, it is prohibited to open the door in the usual manner, because it might extinguish the flame. The same applies to a window as well. This is according to Rashi's interpretation of the opinion of Rav. If the lamp is set into the wall behind the door, and when opened the door will bang into the candle and extinguish it, one must open and close the door gently so that it does not touch the candle (Rosh, based on Rabbeinu Hananel and Rambam). If the candle is set into the door itself, it is prohibited to open and close the door (*Tosafot; Rambam Sefer Zemanim, Hilkhos Shabbat* 5:17; *Shulhan Arukh, Oraḥ Hayyim* 277:1).

GEMARA Rav Yehuda said that Rav said: If a garment caught fire on one side,^H one may place water on its other side, and if as a result the fire is extinguished, it is extinguished. The Gemara raises an objection based on the following *Tosefta*: If a garment caught fire on one side, one may stretch it out and cover himself with it, and if the fire is extinguished, it is extinguished. And so too, if a Torah scroll caught fire, one may open it and read it, and if the fire is extinguished, it is extinguished. Apparently, it is prohibited to actually pour water, but one may perform a permitted act that will incidentally extinguish.

גמ' אמר רב יהודה אמר רב: טלית שאחז בזה האור מצד אחד – נותנין עליה מים מצד אחר, ואם כבתה – כבתה. מיתבי: טלית שאחז בזה האור מצד אחד – פושטה ומתכסה בזה, ואם כבתה – כבתה. וכן ספר תורה שאחז בו האור – פושטו וקורא בו, ואם כבה – כבה!

Perek XVI
Daf 120 Amud b

הוא דאמר ברבי שמעון בן ננס.

אימר דאמר רבי שמעון בן ננס – מפני שהוא מחרך, גרם כיבוי מי אמר? אין, מדקתני סיפא: "רבי יוסי אוסר בכלי חרס חדשים מלאים מים שאין יכולים לקבל את האור והן מתבקעין ומכבין את הדליקה" – מפלל דתנא קמא שרי.

תנו רבנן: נר שעל גבי טבלא – מנער את הטבלא והיא נופלת, ואם כבתה – כבתה. אמרי דבי רבי ינאי: לא שנו אלא בשוכת, אבל במנח – נעשה בסיס לדבר האסור.

תנא: נר שאחורי הדלת – פותח ונועל כדרכו. ואם כבתה – כבתה. לייט עליה רב. אמר ליה רבינא לרב אחא בריה דרבא, ואמרי לה רב אחא בריה דרבא לרב אשי: מאי טעמא לייט עליה רב? אילימא משום דרב סבר לה ברבי יהודה, ותנא קתני לה ברבי שמעון – משום דרב סבר לה ברבי יהודה, כל דתני ברבי שמעון מילט לייט ליה?

The Gemara answers: It was Rav who said his statement in accordance with the opinion of Rabbi Shimon ben Nannas in the mishna.

The Gemara asks: Say that Rabbi Shimon ben Nannas said it is permitted to place the goat's hide on the burning item because it singes and does not burn; did he say it is permitted to indirectly cause the fire to extinguish? The Gemara answers: Yes, Rabbi Shimon ben Nannas permitted that as well, and we learn this from that which is taught in the latter clause in the mishna: Rabbi Yosei prohibits using new earthenware vessels that are full of water, because they cannot withstand the fire and will burst and extinguish the fire. This proves by inference that the first *tanna*, Rabbi Shimon ben Nannas, permits it.

The Sages taught: With regard to a candle that is atop a board,^{NH} one shakes the board and the candle falls, and if it is extinguished, it is extinguished. The Sages of the school of Rabbi Yannai said: They only taught that this is permitted in a case where one forgets the candle atop the board when Shabbat began. However, in a case where one places it there, the board becomes a base for a prohibited object and may not be moved.

It was taught: With regard to a candle behind a door,^{NH} one may open and shut the door in his usual manner, and if it is extinguished, it is extinguished. Rav would curse one who did so.^N Ravina said to Rav Aha, son of Rava, and some say that Rav Aha, son of Rava, said to Rav Ashi: What is the reason that Rav cursed and reprimanded one who did so? If you say it is because Rav holds in accordance with the opinion of Rabbi Yehuda that it is prohibited to perform an unintentional act from which a prohibited labor could ensue, and the *tanna* taught in accordance with the opinion of Rabbi Shimon that it is permitted to perform an unintentional act in those circumstances; because Rav holds in accordance with the opinion of Rabbi Yehuda, he curses anyone who teaches the *halakha* in accordance with the opinion of Rabbi Shimon? They rely on the ruling of a *tanna*, whose opinion is legitimate.

NOTES

A candle that is atop a board – The great difficulty in understanding this *halakha* is that it is nearly impossible to shake an oil lamp off a board without extinguishing it or causing a conflagration. Therefore, commentaries explain that this ruling is referring to a wax candle. Some commentaries explain, however, based on the Ra'avad, that this applies even to an oil lamp. They assert that although Rabbi Shimon prohibits an unintentional action whose inevitable consequence is a prohibited labor, in a case where the inevitable consequence is undesirable the action is permitted. In this case, one neither

wants to lose the remaining oil, nor does he want the lamp thrown to the floor. In the Jerusalem Talmud, this is explained as referring to a case where the candle is already extinguished.

A candle behind a door – There are three interpretations of this statement. The first explanation is that it refers to a lamp that is permanently fixed in a wall behind the door, and the concern is that the wind may extinguish it. The second is that the lamp is fixed on the door itself. Opening and closing the door will bring the oil and the wick closer together

or farther apart, which will cause the flame to burn brighter or to be extinguished, respectively (Rabbeinu Yitzhak). The third opinion is that the lamp is right behind the door; opening the door will move the lamp and extinguish it (Rabbeinu Hananel).

He would curse one who did so – This expression is employed only when the action is not completely prohibited but can lead to transgression. Due to the danger of transgression it is improper to act in this manner, and the Sages reproached anyone who was lax in this matter (*Me'ir*).

A door opposite a fire – דלת כנגד מדורה: If there is a fire burning in the hearth on Shabbat, it is prohibited to open a door opposite the hearth, even if there is only a typical wind blowing outside. This is in accordance with the view of Abaye (*Shulhan Arukh, Orah Hayyim 277:2*).

A sacred name written on his skin – שם כתוב לו: One who has one of God's sacred names written on his skin may neither wash nor smear oil on himself. The person may not stand in a filthy place. When immersing in a ritual bath, he must wrap a reed around the name. This reed may not be attached so firmly that it interposes between the water and his skin. The rationale for wrapping the reed over the name is because it is prohibited to stand naked before the name of God. The *halakha* is in accordance with the opinion of the Rabbis (Rambam *Sefer HaMadda, Hilkhot Yesodei HaTorah 6:6*).

BACKGROUND

The village of Shihin and the village of Hananya – **כפר שיחין וכפר חנניה:** Shihin and Hananya were two large villages in the upper Galilee where various earthenware vessels were produced. The manufacturers of these items were skilled artisans. Their vessels were strongly reinforced and could withstand high temperatures.

NOTES

Erasure of the name of God – מחיקת השם: It is apparent from the conclusion of the discussion in the Gemara that all the Sages agree that the prohibition of erasing the name of God only applies when the erasure is performed directly and intentionally, while indirect erasure is not prohibited at all. Therefore, this case is not comparable to indirectly causing a fire to be extinguished on Shabbat, which may be prohibited by Torah law.

אמר ליה: בהא – אפילו רבי שמעון מודה, דהא אביי ורבא דאמרי תרוניהו: מודה רבי שמעון בפסיק רישיה ולא ימות.

אמר רב יהודה: פותח אדם דלת כנגד מדורה בשבת. לייט עלה אביי. במאי עסקינן? אילימא ברוח מצויה – מאי טעמיה דמאן דאסר? אי ברוח שאינה מצויה – מאי טעמיה דמאן דשרי? לעולם ברוח מצויה, מר סבר: גזרינן, ומר סבר: לא גזרינן.

“עושין מחיצה כו.”. למימרא דרבנן סברי: גרם כבוי מותר, ורבי יוסי סבר: גרם כבוי אסור, והא איפכא שמעינן להו! דתניא: עושין מחיצה בכלים ריקנים, ובמלאים שאין דרבן להשתבר. ואלו הן בלים שאין דרבן להשתבר – כלי מתכות. רבי יוסי אומר: אף כלי כפר שיחין וכלי כפר חנניה אין דרבן להשתבר! וכי תימא: איפוך מתניתין, ורבי יוסי דברייתא – לדבריהם קאמר. ומי מצית אפכת לה? והאמר רבה בר תחליפא משמיה דרב: מאן תנא “גרם כבוי אסור” – רבי יוסי!

אלא, לעולם לא תיפוך, וברייתא כולה רבי יוסי היא, וחסורי מחסרא והכי קתני: עושין מחיצה בכלים ריקנים, ובמלאים שאין דרבן להשתבר. ואלו הן בלים שאין דרבן להשתבר – כלי מתכות, וכלי כפר שיחין וכלי כפר חנניה נמי אין דרבן להשתבר, שרבי יוסי אומר: אף כלי כפר שיחין וכלי כפר חנניה אין דרבן להשתבר.

ורמי דרבנן אדרבנן, ורמי דרבי יוסי אדרבי יוסי. דתניא: הרי שהיה שם כתוב לו על בשרו – הרי זה לא ירחוץ ולא יסוך ולא יעמוד במקום הטינופת. נודמנה לו טבילה של מצוה – בורך עליה גמי ויורד וטובל. רבי יוסי אומר: לעולם יורד וטובל בדרבו, ובליד שלא ישפשוף!

He said to him: In this case, even Rabbi Shimon concedes that it is prohibited, as it was Abaye and Rava who both said that Rabbi Shimon concedes in a case of: Cut off its head, will it not die? In an instance where the unintentional act leads to an inevitable prohibited consequence, even Rabbi Shimon agrees that the person who performs the unintentional act is liable.

Rav Yehuda said: A person opens a door opposite a fire^h on Shabbat. The Gemara relates that Abaye would curse anyone who did so. The Gemara clarifies: With what are we dealing? If you say this is referring to a case where a typical wind is blowing outside, what is the reason of the one who prohibits opening the door? A typical wind will neither fan nor extinguish the fire. And if it is referring to a case where an atypical wind is blowing outside, what is the reason of the one who permits opening the door? The Gemara answers: Actually, it is referring to the case of a typical wind. However, one Sage, Abaye, holds that we issue a decree prohibiting to open the door in the case of a typical wind due to a case of an atypical wind, and the other Sage, Rav Yehuda, holds that we do not issue that decree.

We learned in the mishna that one may establish a barrier with all earthenware vessels, and Rabbi Yosei prohibits using new earthenware vessels. The Gemara asks: Is that to say that the Rabbis hold that indirect extinguishing is permitted on Shabbat, and Rabbi Yosei holds that indirect extinguishing is prohibited? Didn't we hear them state the opposite, as it was taught in a *baraita*: One may establish a barrier with empty vessels, and with full ones that do not typically break. And these are full vessels that do not typically break; metal vessels. Rabbi Yosei says: Even earthenware vessels from the village of Shihin and vessels from the village of Hananya^b do not typically break. Apparently, Rabbi Yosei's opinion is more lenient than the opinions of the Rabbis. And if you say: Reverse the attribution of opinions in the mishna and attribute Rabbi Yosei's opinion to the Rabbis, and say that Rabbi Yosei is saying his statement in the *baraita* in accordance with the opinion of the Rabbis, although he himself disagrees and permits using all vessels. But can you reverse the mishna? Didn't Rabba bar Tahalifa say in the name of Rav: Who is the *tanna* who teaches that indirect extinguishing is prohibited? It is Rabbi Yosei.

Rather, actually, do not reverse the attribution of the opinions in the mishna, and the entire *baraita* is in accordance with the opinion of Rabbi Yosei, and it is incomplete and is teaching the following: One may establish a barrier with empty vessels and full ones that do not typically break. And these are vessels that do not typically break: Metal vessels; and vessels from the village of Shihin and vessels from the village of Hananya also do not typically break, as Rabbi Yosei says: Even vessels from the village of Shihin and vessels from the village of Hananya do not typically break.

The conclusion is that Rabbi Yosei prohibits indirect extinguishing, and the Rabbis permit it. The Gemara raises a contradiction between one statement of the Rabbis and a second statement of the Rabbis; and it raises a contradiction between one statement of Rabbi Yosei and a second statement of Rabbi Yosei. As it was taught in a *baraita*: If one had a sacred name of God written on his skin^h he may neither wash it in water lest it be erased,ⁿ nor may he smear it with oil, nor may he stand in a place of filth because it is disrespectful of God's name. If an immersion of mitzva happened to present itself, he wraps a reed over God's name and then descends and immerses. Rabbi Yosei says: Actually, he descends and immerses in his usual manner, even if it is not an immersion of mitzva, provided that he does not rub the spot and erase the name. Apparently, Rabbi Yosei's opinion is more lenient than that of the Sages with regard to indirectly causing a prohibited outcome.

Interposition during immersion – **חֲצִיצָה בְּטְבִילָה**: When immersing in a ritual bath, blood, ink, honey, and milk, as well as fig and berry nectar, interpose when they are dry, but not when they are wet (Rambam *Sefer Tahara*, *Hilkhos Mikvaot* 2:2; *Shulhan Arukh*, *Yoreh De'a* 198:15).

שְׁאֵנִי הֵתֵם דָּאֵמֵר קָרָא: "וְאַבְדֶּתֶם אֶת שְׁמֵם מִן הַמָּקוֹם הַהוּא לֹא תַעֲשׂוּן בֶּן לֵה' אֱלֹהֵיכֶם", עֲשִׂיָּה הוּא דְאָסוּר, גְּרָמָא – שְׂרִי.

The Gemara answers: **It is different there** because the verse says: "And you shall break down their altars, and you shall smash their pillars, and their sacred trees, and burn with fire, and the graven images of their gods you shall hew down and you shall destroy their name from that place. You shall not do so to the Lord your God" (Deuteronomy 12:3–4). From the prohibition: "You shall not do so," Rabbi Yosei derives that actually **doing so is that which is prohibited; indirectly causing that result is permitted**.

אִי הָכִי, הָכָא נִמְי: כְּתִיב "לֹא תַעֲשֶׂה [כָּל] מְלָאכָה" – עֲשִׂיָּה הוּא דְאָסוּר, גְּרָמָא שְׂרִי מִתּוֹךְ שְׂאֵדָם בְּהוּל עַל מְמוֹנוֹ – אִי שְׂרִית לִיה אֲתִי לְכַבּוּי.

The Gemara asks: **If so, here too**, with regard to Shabbat, it is written: "And the seventh day is Shabbat for the Lord your God, you shall not perform any labor" (Exodus 20:9). And here, too, one could derive: **Performance is that which is prohibited; indirectly causing a prohibited action is permitted**. The Gemara answers: Actually, Rabbi Yosei maintains there is no prohibition in indirectly causing a fire to be extinguished; however, **since a person is agitated about his property, if you permit him to indirectly extinguish the fire, he will come to extinguish it directly**.

אִי הָכִי – קִשְׁיָא דְרַבֵּנָּא אֲדָרְבָּנָּא: וְהָאֵל הָכִי דְאָדָם בְּהוּל עַל מְמוֹנוֹ – שְׂרִי, הָכָא לֹא כָּל שְׂפָן?

The Gemara asks: **If so, there is a contradiction** between one statement of the Rabbis and another statement of the Rabbis: **If in the case of a fire, where a person is agitated about his property**, nevertheless, the Rabbis hold that indirect extinguishing is permitted; **here, in the case of erasing God's name, all the more so** it should be permitted to indirectly cause erasure of God's name. Why did the Rabbis in the *baraita* issue a stringent ruling in this matter?

וְתַסְבְּרָא, הָאִי גָמִי הִכִּי דְמִי? אִי דְמִי הִדֵּק – קָא הָוִי חֲצִיצָה, אִי לֹא מִי הִדֵּק – עֵיילִי בִּיה מִיָּא! חֲצִיצָה – תִּיפּוֹק לִיה מִשּׁוּם דִּי! בְּלֻחָה, דְּתַנָּא: הָדָם וְהַדִּי הִדְבֵּשׁ וְהַחֲלֵב יִבְשִׁין – חוֹצְצִין, לְחִים – אֵין חוֹצְצִין, מְכָל מְקוֹם קִשְׁיָא!

The Gemara rejects this: **And how can you understand it that way? What are the circumstances of this reed** with which God's name is covered while immersing according to the Rabbis? **If it is firmly attached, it is an interposition; if it is not firmly attached, the water enters** and erases the name. The Gemara questions this: If the concern is with regard to an **interposition, derive that it is an interposition** in any case **due to the ink** on his skin. The Gemara answers: This is referring to **moist ink** that does not interpose, as it was taught in a *baraita*: With regard to **blood, and ink, and honey, and milk** on a person's skin, when they are **dry**, they **interpose** during immersion; when they are **moist**, they **do not interpose**.⁴ The Gemara continues: **Nevertheless, it is difficult**: Why do the Rabbis require wrapping a reed around God's name?

אֵלָא אָמַר רַבָּא בַר רַב שִׁילָא: הֵינִי טַעֲמִיָּהוּ דְרַבֵּנָּא, דְּקִסְבְּרִי: אָסוּר לְעִמּוּד בְּפָנֵי הָשֵׁם עָרוֹם. מְכָל דְרַבֵּי יוֹסִי סָבַר מוֹתֵר לְעִמּוּד בְּפָנֵי הָשֵׁם עָרוֹם? דְּמַנְחָא יְדִיה עֲלֵיהּ.

Rather, Rava bar Rav Sheila said that **this is the reasoning of the Rabbis: They hold that it is prohibited for a person to stand before the name of God while naked**, and therefore there must be a barrier between one's naked body and the name. The Gemara asks: Is that to say **by inference** that Rabbi Yosei holds that **it is permitted to stand before the name while naked**? The Gemara answers: No, he does not allow doing so; however, he does not require that the name be covered with a reed. It is sufficient for **one to place his hand over** the name.

לְרַבֵּנָּא נִמְי, דְּמַנְחָא יְדִיה עֲלֵיהּ! וְיִמְנִין דְּמִשְׁתַּלִּי וְשִׁקִּיל לִיה, לְרַבֵּי יוֹסִי נִמְי, וְיִמְנִין דְּמִשְׁתַּלִּי וְשִׁקִּיל לִיה! אֵלָא: אִי דְאִיקָא גָמִי – הָכִי נִמְי, הָכָא בְּמֵאֵי עֲסָקִין – לֹא־הִדְוִי אֲגָמִי. רַבֵּנָּא סָבַר:

The Gemara asks: **If so, according to the Rabbis it should also be sufficient for one to place his hand over it**. The Gemara explains: The Rabbis are concerned because **sometimes one will forget and remove his hand**. The Gemara asks: Shouldn't Rabbi Yosei also be concerned because **sometimes one will forget and remove his hand**? Rather, **if there is a reed available, Rabbi Yosei indeed concedes that one covers God's name with it**. However, **with what situation are we dealing here?** We are dealing with a case in which one would have to **seek a reed**. In that case, the Rabbis hold

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טְבִילָה בְּזִמְנָה לֹא מִצְוָה – וְהָדָרִין, וְרַבֵּי יוֹסִי סָבַר: טְבִילָה בְּזִמְנָה מִצְוָה – וְלֹא מְהִדְרִין.

that performing **immersion at its designated time**⁴ is not a mitzva, and we seek a reed to wrap around God's name even if it means postponing immersion to the next day, and Rabbi Yosei holds that **immersion at its designated time is a mitzva**, and therefore **we do not seek a reed**, since immersion cannot be postponed.

NOTES

Immersion at its designated time – **טְבִילָה בְּזִמְנָה**: There are two essential issues at the basis of this *baraita*. The first is the opinion that it is a mitzva for a person to immerse at the designated time, as opposed to it being simply good advice. The second is that there was a custom in effect over the course of many generations that a man who experienced a seminal emission would not pray until he had immersed. Some commentaries

explain that Rabbi Yosei does not merely hold that the people mentioned in the *baraita* do not have to immerse on Yom Kippur; rather, he is of the opinion that it is forbidden for them to do so. Still, Rabbi Yosei does hold that it is permitted for a man who has experienced a seminal emission to immerse on Yom Kippur if it will enable him to pray, i.e., if it is before the afternoon prayer (*Tosefot Rid*).

Times for immersion – זמני הטבילה: Everyone who is obligated to immerse in a ritual bath must do so during the day. The exceptions to the rule are a menstruating woman and a woman who has given birth, who immerse at night (Rambam *Sefer Tahara*, *Hilkhot Mikvaot* 1:6 and *Sefer Kedusha*, *Hilkhot Issurei Bia* 4:6; *Shulhan Arukh*, *Orah Hayyim* 554:8 and *Yoreh De'a* 197:3, 381:5).

Immersion on Yom Kippur – טבילה ביום: Since it is a mitzva to immerse oneself at the designated time, one may do so on Yom Kippur if that day is the designated time for immersion. In contemporary times, the *halakha* of immersing at a designated time does not apply in most cases. Therefore, anyone required to immerse, including a menstruating woman, does so after Yom Kippur (Rambam *Sefer Zemanim*, *Hilkhot Shevitat Asor* 3:2–3; *Shulhan Arukh*, *Orah Hayyim* 554:8, 613:11–12).

If a gentile comes to extinguish a Jew's fire on Shabbat – גוי שבא לכבות: If a gentile comes to extinguish a fire on Shabbat, there is no requirement to prevent him from doing so (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 6:4; *Shulhan Arukh*, *Orah Hayyim* 334:25).

If a Jewish child comes to extinguish a fire on Shabbat – קטן שבא לכבות: A child, even one who has not reached the age of training to perform mitzvot (*Mishna Berura*), who comes to extinguish a fire on Shabbat must be prevented from doing so (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 12:7; *Shulhan Arukh*, *Orah Hayyim* 334:25).

Anyone who extinguishes the fire will not lose – כל המכבה אינו מפסיד: On Shabbat, when a fire does not pose a threat to human life, it is prohibited to explicitly tell a gentile to extinguish it. Nevertheless, it is permitted to state in his presence: Anyone who extinguishes the fire will not lose. In life-threatening situations, early and later authorities permit anyone to extinguish the fire directly. One who hastens to do so is praised (Rema; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 12:7; *Shulhan Arukh*, *Orah Hayyim* 334:26).

NOTES

From the time that he recited the afternoon prayer – מן המנחה: The *Me'iri* comments that one need not be concerned about the *ne'ila* prayer, the additional closing service on Yom Kippur, since this prayer may be recited at night, after immersion.

Her latest immersion is sufficient – דיתה טבילה: In certain cases discussed in tractate *Nidda*, when a woman forgets or is uncertain with regard to when she is required to immerse in a ritual bath, some Sages rule that she should immerse herself each day that might be her designated time. Rabbi Yosei, son of Rabbi Yehuda, disagrees and maintains that it is sufficient for the woman to wait and immerse once at a time when she is certain that she may immerse.

Anyone who extinguishes the fire will not lose – כל המכבה אינו מפסיד: Since the mishna stated that one need not say: Do not extinguish, one can infer that although one need not dissuade the gentile from extinguishing the fire, it is prohibited to encourage him to extinguish it. Otherwise, the mishna should have stated explicitly that one may say: One who extinguishes will not lose, and it would have been clear that one need not prevent the gentile from extinguishing the fire.

וסבר רבי יוסי טבילה בזמנה מצוה!
והתנא: הזב והזבה המצורע והמצורעת
בועל נדה וטמא מת – טבילתן ביום, נדה
ויולדת – טבילתן בלילה. בעל קרי טובל
והולך כל היום כולו, רבי יוסי אומר: מן
המנחה ולמעלה – אינו צריך לטבול!
ההיא רבי יוסי ברבי יהודה היא. דאמר:
דייה טבילה באחרונה.

מתני' גוי שבא לכבות, אין אומרים לו "כבה" ו"אל תכבה" – מפני שאין שבתתו עליהן. אבל קטן שבא לכבות אין שומעין לו, מפני ששבתתו עליהן.

גמ' אמר רבי אמר: בדליקה התירו לומר "כל המכבה אינו מפסיד". נמא מסייע ליה: גוי שבא לכבות אין אומרים לו "כבה" ו"אל תכבה" – מפני שאין שבתתו עליהן. "כבה" הוא דלא אמרינן ליה. הא כל המכבה אינו מפסיד – אמרינן ליה. אימא סיפא: "אל תכבה" לא אמרינן ליה. ו"כל המכבה אינו מפסיד" – נמי לא אמרינן ליה! אלא: מהא ליבא למשמע מינה.

תנו רבנן: מעשה ונפלה דליקה בחצירו של יוסף בן סימאי בשיחין, ובאו אנשי גיסטרא של ציפורי לכבות, מפני שאפטרופוס של מלך היה. ולא הניחן מפני כבוד השבת, ונעשה לו נס וירדו גשמים וכיבו. לערב שיגור לכל אחד מהן שתי סלעין, ולאפרכוס שבתן חמשים. וכששמעו חכמים בדבר אמרו: לא היה צריך לכך, שהרי שנינו: גוי שבא לכבות אין אומרים לו "כבה" ו"אל תכבה".

The Gemara asks: And does Rabbi Yosei hold that immersion at its designated time is a mitzva? Wasn't it taught in a *baraita*: With regard to a *zav* and a *zava*, a male and female leper, one who has relations with a menstruating woman, and a person impure with impurity imparted by a corpse, their immersion is during the day.^h They immerse at the designated time even on Yom Kippur, when bathing is prohibited.^h A menstruating woman and a woman after childbirth immerse at night. A man who has had a seminal emission immerses at any point during the entire day after the emission. Rabbi Yosei says: From the time that he recited the afternoon prayerⁿ and on he does not immerse. Since he already recited the afternoon prayer, he waits until after Yom Kippur to immerse, and then recites the evening prayer in a state of purity. Apparently, Rabbi Yosei holds that immersion at the designated time is not a mitzva. The Gemara rejects this: In that *baraita* the reference is not to the Rabbi Yosei most commonly cited in tannaitic literature without a patronymic, Rabbi Yosei ben Halafta, but it is to Rabbi Yosei, son of Rabbi Yehuda, who said: Her latest immersion is sufficient.ⁿ A woman who is uncertain with regard to the correct time for her immersion need not immerse multiple times. She may postpone her immersion until a time when she will be certain to fulfill her obligation, even though it might not be immersion at the designated time.

MISHNA If a gentile comes to extinguish a Jew's fire on Shabbat,^h one may not say to him: Extinguish, and: Do not extinguish, because responsibility for his rest is not incumbent upon the Jew. However, if a Jewish child comes to extinguish a fire on Shabbat,^h they do not listen to him and allow him to extinguish it, even though he is not yet obligated in mitzva observance, because responsibility for his rest is incumbent upon the Jew.

GEMARA Rabbi Ami said: During a fire, the Sages permitted to say in the presence of gentiles: Anyone who extinguishes the fire will not lose,^{nh} so that the gentiles will come and extinguish the fire; it is only prohibited to tell gentiles to do so explicitly. The Gemara suggests: Let us say that the mishna supports his statement: If a gentile comes to extinguish a Jew's fire on Shabbat, one may not say to him: Extinguish, and: Do not extinguish, because responsibility for his rest is not incumbent upon the Jew. It can be inferred from the language of the mishna: It is a direct command, e.g., extinguish, that we may not say to him; however, anyone who extinguishes will not lose, we may tell him, which supports Rabbi Ami's statement. The Gemara rejects this. Say the latter clause of the mishna: Do not extinguish, we do not tell him. It can be inferred that neither do we say to him: Anyone who extinguishes will not lose. Rather, nothing can be inferred from this mishna.

The Sages taught in a *baraita*: There was an incident that a fire ignited on Shabbat in the courtyard of Yosef ben Simai in a place called Shihin. And men came from the fortress [*gistera*]^l of Tzippori to extinguish the fire, because he was an steward [*apotropos*]^l of the king and they wanted to help him. However, Yosef ben Simai would not allow them to extinguish the fire in deference to Shabbat; and a miracle transpired for him and rain fell and extinguished the fire. That evening after Shabbat he sent two *sela* to each one of the soldiers who came to his aid, and fifty to their commander [*iparkhos*]^l. And when the Sages heard about this, they said: He need not have prevented them from extinguishing the fire, as we learned in the mishna: If a gentile comes to extinguish a Jew's fire on Shabbat, one may not say to him: Extinguish, and: Do not extinguish, because responsibility for his rest is not incumbent upon the Jew; rather, the gentile may do as he pleases.

LANGUAGE

Fortress [*gistera*] – גיסטרא: From the Latin *castra*, meaning a fortified encampment or a fortress. In talmudic sources, this word is often used to indicate a permanent encampment of Roman soldiers.

Steward [*apotropos*] – אפטרופוס: From the Greek *ἐπίτροπος*,

epitropos, meaning appointee or supervisor. In this context, it means the person who managed the king's properties in a specific region.

Commander [*iparkhos*] – אפרכוס: From the Greek *ἐπαρχος*, *eparkos*, meaning commander or appointed official.

קטן – אכל קטן שבת לכבוד אין שומעין לו
אכיל גבלות: The rabbinical court is not obligated to prevent a child from violating even a Torah prohibition. However, the child's father, who is commanded to train his children in fulfillment of mitzvot, should reprimand the child and prevent him from violating Torah prohibitions. Some commentaries hold that if the child has reached the age of training, even the court is commanded to prevent the child from sinning (Rema; Rambam *Sefer Kedusha*, *Hilkhot Ma'akhalot Assurot* 17:27–28; *Shulhan Arukh*, *Orah Hayyim* 343).

בזמן קערה על גבי – One may overturn a bowl on top of a lamp
הער: It is permitted to overturn an earthenware (*Mishna Berura*) bowl over a candle so that the fire will not spread to the ceiling. Similarly, one may cover a scorpion with a bowl to prevent it from stinging (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 12:4; *Shulhan Arukh*, *Orah Hayyim* 277:5).

NOTES

גוי לְדַעְתִּיהָ דְּנִפְשִׁיהָ – The gentile is acting of his own volition – **עבד**: Since a gentile is an independent and intelligent person, even if his intention is to benefit a Jew, he is considered to be acting independently. That is not the case with a child, who is not capable of making his own decisions and therefore acts based on his parents' will (Ritva).

I am concerned that he is liable to bring a sin-offering – **חוששני לו מחטאת**: Rabban Yohanan did not consider the scorpion to have been potentially dangerous, otherwise he would surely have permitted it. He maintained that there was no danger and was uncertain whether or not this falls into the category of the prohibited labor of trapping (Rabbi Elazar Moshe Horovitz).

BACKGROUND

עירב – Arav: Arav was a village close to Tzipori where Rabban Yohanan ben Zakkai lived for eighteen years. According to the Talmud it was not a place of Torah study, and during his entire time there he was asked only two halakhic questions, which are cited here and on 156a, p. 425.

NOTES

Feces of a child – צואה של קטן: Rav Hanan understood that this phrase should not be taken literally. Rather, it is referring to any feces that a child might touch and thereby become dirty. The interpretation in the Jerusalem Talmud is that this refers to soft feces, which will make a child dirty if he touches them, but which would otherwise be suitable as chickenfeed.

HALAKHA

נהרות המושכין – Rivers that flow: The flowing water in rivers and wells is considered to come from within the Shabbat boundaries of the people who draw water from them, even if their source is beyond the Shabbat boundaries. It is permitted to draw river and well water on Shabbat and on Festivals (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 5:14; *Shulhan Arukh*, *Orah Hayyim* 397:15).

צואה של תרנגולים – Chicken feces: Any disgusting object, such as a vessel containing human or animal feces, may be thrown in the garbage, whether the object is in a courtyard where people live or inside a house, and even if the disgusting object is not in a vessel. If it is in a courtyard where no one lives, one may not move it. If there is concern that a child might become soiled with it, it is permitted to cover the repulsive item with a vessel. This is in accordance with Rashi's interpretation of the conclusion of the Gemara (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:13; *Shulhan Arukh*, *Orah Hayyim* 308:34).

We learned in the mishna: **However, if a Jewish child comes to extinguish a fire on Shabbat, they do not listen to him** and allow him to extinguish it, even though he is not yet obligated in mitzva observance, **because responsibility for his rest is incumbent upon the Jew**. The Gemara seeks to conclude: **Learn from this that a child who eats meat from unslaughtered animals^H or violates other prohibitions, the court is commanded to prevent him from eating it**. This mishna would resolve a dilemma that arose regarding that issue. The Gemara rejects this suggestion: **Rabbi Yohanan said**: This mishna is referring to a **child who is acting with the intention of fulfilling his father's will**, and therefore one is obligated to prevent him from doing so. However, if a child sins of his own volition, one is not obligated to prevent him from doing so. The Gemara asks: If so, the case **with regard to a gentile** in the mishna must be interpreted in a **similar manner** as referring to a case where **he is acting with the intention to fulfill the will of a Jew**. **Is that permitted?** It is prohibited to derive benefit from an action performed by a gentile for a Jew on Shabbat. The Gemara responds: This is not the case; **the gentile is acting of his own volition^N**. Because he is paid for extinguishing the fire he is not doing so in order to help the Jew.

MISHNA One may overturn a bowl on top of a lamp^H so that fire will not take hold in the ceiling beam on Shabbat. And similarly, one may overturn a bowl on top of a child's feces inside the house so he will not touch it and dirty himself, and on top of a scorpion so that it will not bite. **Rabbi Yehuda said**: An incident came before Rabban Yohanan ben Zakkai in his village of Arav,^B where a person covered a scorpion on Shabbat, and Rabban Yohanan said: **I am concerned that he is liable to bring a sin-offering^N** because he might have violated a Torah prohibition.

GEMARA The Gemara relates: Rav Yehuda and Rav Yirmeya bar Abba and Rav Hanan bar Rava happened to come to the house of Avin from a place called Nashikiya. For Rav Yehuda and Rav Yirmeya bar Abba,

“אבל קטן שבת לכבוד אין שומעין לו מפני ששבייתתו עליהן.” שומעת מינה: קטן אוכל גבלות – בית דין מצווין עליו להפרישו. אומר רבי יוחנן: בקטן העושה לדעת אביו. דכוותה גבי גוי – דקא עבד לְדַעְתִּיהָ דִּישְׂרָאֵל, מי שרי? גוי לְדַעְתִּיהָ דְּנִפְשִׁיהָ עבד.

מתני' בזמן קערה על גבי הער בשביל שלא תאחז בקורה, ועל צואה של קטן, ועל עקרב שלא תישך. אומר רבי יהודה: מעשה בא לפני רבן יוחנן בן זכאי בערב, ואמר: חוששני לו מחטאת.

גמ' רב יהודה ורב ירמיה בר אבא ורב חנן בר רבא איקלעו לבי אבין דמן נשיקיא, לרב יהודה ורב ירמיה בר אבא

Perek XVI

Daf 121 Amud b

אייתו להו פורייתא, לרב חנן בר רבא לא אייתו ליה. אשכחיה מתני ליה לבריה: “ועל צואה של קטן מפני קטן.” אומר ליה: אבין שטיא מתני שטותא לבניה, והלא היא עצמה מוכנת לכלבים! וכי תימא דלא חזיא ליה מאתמול – והתניא: נהרות המושכין ומעיינות הנובעין הרי הן כרגלי כל אדם.

ואלא היכי אתנייה? אימא: על צואה של תרנגולים מפני קטן.

they brought beds for them to sit on, whereas for Rav Hanan bar Rava, they did not bring one for him. Rav Hanan was insulted and got angry at his host. **He found Rabbi Avin teaching his son the mishna** and saying: **And one may place a bowl on top of the feces of a child^N due to the child** so that he will not touch it and dirty himself. Rav Hanan said to him: **Avin the fool is teaching his son folly; aren't the feces themselves prepared as food for dogs?** An object that is fit for consumption by a dog may be carried, so why need one cover the feces if he can remove them? **And if you say these feces were not prepared for that use from yesterday**, that would not prohibit moving them. **Wasn't it taught in a baraita**: With regard to **rivers that flow^H and springs that gush**, they do not have specific Shabbat boundaries, but **they may be used anywhere and their boundaries are like the feet of all people** who draw from them. Even though the water was not within the boundaries when Shabbat began, since the nature of flowing water is to move from place to place, it is as if they were prepared for this purpose. So too, here, since a child will relieve himself in any place, it is as if it was prepared from before Shabbat.

Rabbi Avin asked: **And how, then, should I teach it to him?** Rav Hanan answered: **Say, one may place a bowl on top of chicken feces^H due to a child**.

LANGUAGE

Spices [ispermaki] – איספרמקי: From the Iranian isprahmak, meaning fragrant herbs.

HALAKHA

Five creatures may be killed on Shabbat – חמשה נהרגין בשבת: Any animal or creeping animal whose bite or sting poses a definite threat to human life may be killed on Shabbat. The *Mishna Berura* adds that this applies even if the creature is not pursuing a person, or even if it is running away. As for other harmful creatures, it is permitted to trample them if it appears that one is doing so innocently. Otherwise, it is prohibited (Rambam *Sefer Zemanim*, *Hilkhos Shabbat* 11:4; *Shulhan Arukh*, *Orah Hayyim* 316:10).

BACKGROUND

Five creatures may be killed on Shabbat – חמשה נהרגין בשבת: In this context, the hornet is the large hornet also found in Eretz Yisrael, the *Vespa orientalis*. This hornet lives in families within nests built in the ground. The hornet's sting causes tremendous pain, even though a single sting is not fatal. There have been many instances in which people and animals have died after being stung by a swarm of hornets. The scorpion mentioned here may be the common yellow scorpion, the *Ceirus quinquestratus*, whose sting is extremely poisonous and life threatening.

The poisonous fly that is in the land of Egypt – זבוב שבארץ: The fly found in Egypt seems to refer to the gadfly of the *Chrysops* and *Tabanus* types that bite people. This bite is quite painful and causes a rash and swelling.



Gadfly

NOTES

Perhaps it is corrupted – דילמא משבשתא היא: Questions regarding the accuracy of a text are sometimes raised about *baraitot*, but only rarely about *mishnayot* (see *Yad Malakhi*). When this question is posed, the Gemara must prove that the *baraita* text is corrupted. In this context, however, the *baraita* was not well known, and it was only Rav Yosef who introduced it to the study hall. Therefore, the suggestion was made that it be rejected, especially because it contradicted the statement of the great *amora*, Rabbi Yehoshua ben Levi.

ויתפוק ליה דהוי גרף של רעי. וכי תימא: גרף של רעי אגב מנא – אין, איהו גופיה – לא. והא הוא עכבר דאישתבח באיספרמקי דרב אשי, ואמר לה: נקוטו בצוציתיה ואפקוה! באשפה. וקטן באשפה מאי בעי ליה? בחצר. חצר נמי, גרף של רעי הוא! באשפה שבחצר.

ייעל עקרב שלא תישך. אמר רבי יהושע בן לוי: כל המזיקין נהרגין בשבת. מתיב רב יוסף: חמשה נהרגין בשבת, ואלו הן: זבוב שבארץ מצרים, וצירעה שבנינוה, ועקרב שבחדייב, ונחש שבארץ ישראל, וכלב שוטף בכל מקום. ממי אילימא רבי יהודה – הא אמר: מלאכה שאינה צריכה לגופה חייב עליה! אלא לאו – רבי שמעון, והי הוא דשרי, אחריני – לא!

אמר רבי ירמיה: ומאן נמא לן דהא מתרצתא היא, דילמא משבשתא היא? אמר רב יוסף: אנא מתנינא לה ואותיבנא לה, ואנא מתריצנא לה – ברצו אחרי ודברי הכל.

תני תנא קמיה דרבא בר רב הונא: ההורג נחשים ועקרבים בשבת אין רוח חסידים נוחה הימנו. אמר ליה: ואותן חסידים – אין רוח חכמים נוחה מהם. ופליגא דרב הונא, דרב הונא חזייה לההוא גברא דקא קטיל ויבורא. אמר ליה: שלימתניהו לכולהו!

תנו רבנן: נודמנו לו נחשים ועקרבים, הרגן – בידוע שנודמנו לו להורגו, לא הרגן – בידוע שנודמנו להורגו, ונעשה לו גם מן השמים. אמר עולא ואיתימא רבה בר בר חנה אמר רבי יוחנן: בנישופין בו.

The Gemara asks: And derive that it is permitted to remove the feces because it is like a chamber pot of feces, which may be moved out of the room because it is disgusting. And if you say that a chamber pot of feces together with the vessel, yes, it may be moved; but feces itself, no, it may not be moved. What about that mouse that was found among the spices [ispermaki]¹ of Rav Ashi, and he said to his servants: Take it by its tail and remove it? Apparently, a disgusting object may be moved even without a vessel. Rather, we must say that the feces were in the garbage dump, and since the feces were not before the household members it was only permitted to conceal them, not to move them. The Gemara asks: And what is a child doing in the garbage dump in the public domain? It is not adjacent to the house; how would the child get there? The Gemara answers that the feces were not in the garbage dump but were in the courtyard. The Gemara rejects this: In the courtyard, it is also considered a chamber pot of feces and may be moved. Rather, it is referring to a garbage dump that is in the courtyard, to which the child sometimes has access. Feces in a place designated for garbage are no more disgusting than their surroundings, and therefore it is prohibited to move the feces.

And we also learned in the mishna that one may cover a scorpion with a bowl on Shabbat so that it will not bite. Rabbi Yehoshua ben Levi said: All harmful creatures are killed on Shabbat. Rav Yosef raised an objection to this from the following *baraita*: Five creatures may be killed even on Shabbat,² and they are: The poisonous fly that is in the land of Egypt,³ and the hornet that is in Ninveh, and the scorpion that is in Hadyab, and the snake that is in Eretz Yisrael, and a mad dog in any place. The Gemara clarifies this: In accordance with whose opinion is this *baraita*? If you say it is in accordance with the opinion of Rabbi Yehuda, didn't he say that one is liable for a prohibited labor that is not needed for its own sake, and it is therefore prohibited to kill even these creatures? Rather, is it not in accordance with the opinion of Rabbi Shimon, and these are those creatures that it is permitted to kill; others, no, it is not permitted to kill?

Rabbi Yirmeya said: And who will say to us that this *baraita* is accurate? Perhaps it is corrupted,⁴ and an objection cannot be raised from it. Rav Yosef said: I taught the *baraita* and raised an objection from it, and I will answer it as follows: Rabbi Yehoshua ben Levi permitted killing all harmful creatures on Shabbat when they are running after him; as in that case the danger is real, and therefore it is permitted to kill them according to all opinions.

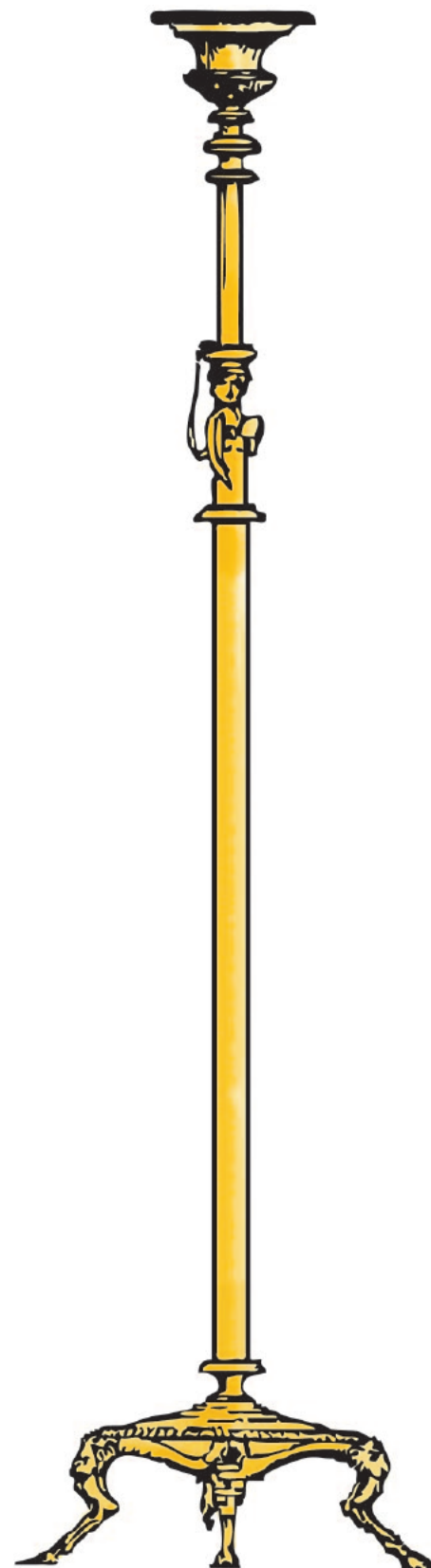
The *tanna* who recited tannaitic literature before Rava bar Rav Huna taught a *baraita*: One who kills snakes and scorpions on Shabbat, the spirit of the pious is not pleased with him. Rava bar Rav Huna said to him: And with regard to those pious, the spirit of the Sages is not pleased with them, as snakes and scorpions harm people. The Gemara comments: And this statement disagrees with the opinion of Rav Huna, for Rav Huna saw a person killing a hornet on Shabbat and said to him: Have you finished killing all the hornets? This indicates that he was not pleased with him.

The Sages taught in a *baraita*: One who snakes and scorpions happened before him, if he killed them, it is clear that they happened before him in order for him to kill them. If he did not kill them it is clear that they happened before him in order for them to kill him, but a miracle from heaven transpired for him and he was saved. Ulla said, and some say it was Rabba bar bar Hana who said that Rabbi Yohanan said: This is referring to when they were touching and brushing up against him (Rabbeinu Hananel), as in that case if they cause him no harm, it is surely a miracle that saved him.

Nabatean [Nivati] – נִיבָתִי: Some linguists explain that the origin of this word is the Hebrew *naveh*, meaning oasis or beautiful place. A *Nivati*, then, is one who lives in a beautiful place. Alternatively, it could refer to who comes from the city of *Naveh* east of the Jordan River. According to the *Arukh*, the word *Nivati* means Nabatean, referring to a Jew who lives in the land of the Nabateans.

BACKGROUND

Candlestick – קְמֻט: Candlesticks from the mishnaic period, such as the one in the illustration below, were very large and heavy and could only be carried with both hands.



Large candlestick from Pompeii, from the mishnaic period

אמר רבי אבא בר כהנא: פעם אחת נפל אחד בבית המדרש, ועמד נותי אחד והרגו. אמר רבי: פגע בו כיוצא בו.

איבעיא להו: פגע בו כיוצא בו – דשפיר עביד, או לא? תא שמע: דרבי אבא בריה דרבי חייא בר אבא ורבי זורא הוו יתבי אקילעא דבי רבי ינאי, נפק מילתא מבינייהו, בעו מיניה מרבי ינאי: מהו להרוג נחשים ועקרבים בשבת? אמר להו: צירעה אני הורג, נחש ועקרב לא כל שכן? דילמא לפי תומו. דאמר רב יהודה: רוק – דזרסו לפי תומו. ואמר רב ששת: נחש – דזרסו לפי תומו. ואמר רב קטינא: עקרב – דזרסו לפי תומו.

אבא בר מרתא דהוא אבא בר מניומי הוה מסקי ביה דבי ריש גלותא זוזי, אייתוהו קא מצער ליה. הוה שדי וקא, אמר להו ריש גלותא: אייתו מאנא סחיפו עלויה. אמר להו: לא צריכתו, הכי אמר רבי יהודה: רוק דזרסו לפי תומו. אמר להו: צורבא מרבנן הוא, שבקוהו.

אמר רבי אבא בר כהנא: אמר רבי חנינא: פמוטות של בית רבי מותר לטלטלן בשבת. אמר ליה רבי זירא: בניטלין בידו אחת, או בשתי ידים?

Rabbi Abba bar Kahana said: One time, a snake fell into the study hall on Shabbat, and a Nabatean [Nivati]^L stood and killed it. Rabbi Yehuda HaNasi said: One of its type killed it.^N

A dilemma was raised before the Sages: When Rabbi Yehuda HaNasi said: One of its type killed it, did he mean that he acted properly or not? Come and hear a resolution to this dilemma from that which was related about Rabbi Abba, son of Rabbi Hiyya bar Abba, and Rabbi Zeira, who were sitting in the courtyard of Rabbi Yannai's house. A matter emerged from among them, and they raised a dilemma before Rabbi Yannai: What is the ruling with regard to killing snakes and scorpions on Shabbat? He said to them: I would kill a hornet, all the more so would I kill a snake or a scorpion, as they are more dangerous and it is permitted to kill them. The Gemara rejects this: There is no conclusive proof from this, as perhaps it is only permitted when one steps on it innocently as he is walking, so that it does not appear to others that he intended to step on it. As Rav Yehuda said: With regard to spittle on Shabbat, one may trample it^H innocently and need not be concerned about the prohibitions of smoothing or leveling holes. And Rav Sheshet said: With regard to a snake, one may trample it innocently. And Rav Ketina said: With regard to a scorpion, one may trample it innocently.

The Gemara relates: Abba bar Marta, who is Abba bar Manyomi, owed money to members of the Exilarch's household. They brought him to the house of the Exilarch on Shabbat and they tormented him to force him to pay. There was spittle there. The Exilarch said to the members of his household: Bring me a vessel and place it over the spittle so that people will not step on it. Abba bar Manyomi said to them: You need not do so, as Rav Yehuda said as follows: With regard to spittle, one may trample it innocently. The Exilarch said to the members of his household: He is a Torah scholar,^N leave him alone.

Apropos Rabbi Abba bar Kahana, the Gemara cites additional statements of his. Rabbi Abba bar Kahana said that Rabbi Hanina said: With regard to the candlesticks^{NB} of the house of Rabbi Yehuda HaNasi,^H it is permitted to move them on Shabbat. It was not clear what the nature of these candlesticks was, and Rabbi Zeira said to him: Is this referring to candlesticks that are small, which are moved with one hand, or even to those that are moved with two hands?

NOTES

One of its type killed it – פגע בו כיוצא בו: This can be understood as encouragement: The person killed the snake that sought to harm someone like himself. On the other hand, it can be interpreted as derision: The snake was killed by someone comparable to a snake.

A Torah scholar – צורבא מרבנן: Although the servants of the Exilarch were generally considered sinners, as a rule, they respected the Sages. At the very least, they would not have dared to torment a Torah scholar in the presence of the Exilarch himself.

HALAKHA

With regard to spittle one may trample it – רוק דזרסו: One may not stomp on spittle that is on the ground, as it appears as though he is smoothing out the ground. However, it is permitted to tread on spittle while walking naturally. This ruling is in accordance with the opinion of Rabbi Yehuda (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:2; *Shulhan Arukh*, *Orah Hayyim* 316:11).

Moving candlesticks – טלטול פמוטות: The rationale for the prohibition against moving candlesticks on Shabbat is not due to the fact that they are set-aside. Rather, the concern is with regard to candelabra that are made with joints. If moved, these candelabra may break into their component parts and one might come to reassemble them, which is prohibited on Shabbat. This is also the reason for the rabbinic prohibition against moving candelabra that appear to be made of component parts.

פמוטות of the house of Rabbi Yehuda HaNasi – של בית רבי: One may not carry a candelabrum with component parts on Shabbat, whether large or small. This prohibition includes candelabra that appear to have component parts. It is permitted to carry a lamp that does not come apart, like the candlesticks of Rabbi Yehuda HaNasi (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:11; *Shulhan Arukh*, *Orah Hayyim* 279:7).

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Like those from your father's house – כְּאוֹתָן שֶׁל בֵּית אָבִיךָ: Most commentaries explain that the candlesticks belonging to Rabbi Zeira's father were large. They arrived at this conclusion because Rabbi Zeira's father was the king's executor and a wealthy man, who certainly owned large vessels. The uncertainty with regard to the household of Rabbi Yehuda HaNasi was whether or not Rabbi Abba bar Kahana was referring to the small candlesticks that were there (Ramban). The matter of the sedan chairs can be explained in a similar manner.

If a gentile drew water to give his animal to drink – מִיֵּלֵא מִים לְהִשְׁקוֹת בְּהֵמָתוֹ: Some commentaries explain that it is inconsequential whether the gentile actually draws the water for his own animal, and this example is used simply because there tend to be many people around when it is time to give the animals water to drink (Ran). Other commentaries explain that this example is cited because only in that case is there a concern that the gentile may draw extra water for other people's animals. However, if the gentile draws water to drink himself, there is no cause for concern (Rosh; see *Tosafot*).

HALAKHA

Wine with one seal – יָיִן בְּחוֹתָם אֶחָד: If a cask of wine in the hands of a gentile is closed with only one seal, one may not drink it. However, one may benefit from it. Some authorities permit consuming the wine in that case. The Rema writes that it is permitted after the fact (Rema based on Rabbeinu Tam). No proof can be cited from the case of Rabbi Yehuda HaNasi because the gentile feared the *Nasi* and dared not open the wine vessels (Rambam *Sefer Kedusha*, *Hilkhot Ma'akhalot Assurot* 13:10; *Shulhan Arukh*, *Yoreh De'a* 130:2).

If a gentile kindled a lamp – גֹּי שֶׁהִדְלִיק אֶת הַנֵּר: If a gentile kindled a lamp for a Jew on Shabbat, it is prohibited for the Jew to benefit from it. This applies to other Jews as well, even if the lamp was not kindled for them. If the gentile kindled the lamp for himself, a Jew may benefit from its light. This is also the *halakha* with regard to other actions prohibited on Shabbat (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 6:2; *Shulhan Arukh*, *Orah Hayyim* 276:1).

If a gentile collected grass – גֹּי הִמְלִיט עֵשָׂבִים: If a gentile collects grass or performs other actions that are prohibited for Jews on Shabbat, it is permitted for a Jew to benefit from the act, provided that the gentile does not know the Jew. The rationale is that in that case there is no concern that the gentile may perform additional labor for the Jew's benefit. However, if the gentile knows the Jew, benefit may be derived only after Shabbat, after the time that it takes to perform the action has passed (*Mishna Berura*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 6:2; *Shulhan Arukh*, *Orah Hayyim* 325:11).

BACKGROUND

A ramp of a ship – קֶבֶשׁ דִּבְרֵים:



Greek picture of a ship with a gangplank

אָמַר לִיה: כְּאוֹתָן שֶׁל בֵּית אָבִיךָ.

וְאָמַר רַבִּי אֲבָא בַר כַּהֲנָא אָמַר רַבִּי חֲמִנָא: קְרוֹנוֹת שֶׁל בֵּית רַבִּי מוֹתֵר לְטַלְטֵלָן בְּשַׁבָּת. אָמַר לִיה רַבִּי זֵירָא: בְּנִיטְלוֹן בְּאֶדָם אֶחָד, אוֹ בְּשְׁנֵי בְנֵי אָדָם? אָמַר לִיה: כְּאוֹתָן שֶׁל בֵּית אָבִיךָ.

וְאָמַר רַבִּי אֲבָא בַר כַּהֲנָא: הִתִּיר לָהֶם רַבִּי חֲמִנָא לְבֵית רַבִּי לְשִׁתּוֹת יָיִן בְּקְרוֹנוֹת שֶׁל גּוֹי בְּחוֹתָם אֶחָד – וְלֹא יִדְעָנָא אִי מִשּׁוּם דְּסִבֵּר לָהּ כְּרַבִּי אֱלִיעֶזֶר, אִי מִשּׁוּם אִימָתָא דְּבִי נְשִׂיאָהּ.

מִתְנִי' גֹּי שֶׁהִדְלִיק אֶת הַנֵּר – מִשְׁתַּמֵּשׁ לְאוֹרוֹ יִשְׂרָאֵל, וְאִם בְּשִׁבְלֵי יִשְׂרָאֵל – אֲסוּר. מִיֵּלֵא מִים לְהִשְׁקוֹת בְּהֵמָתוֹ – מִשְׁקָה אַחֲרָיו יִשְׂרָאֵל, וְאִם בְּשִׁבְלֵי יִשְׂרָאֵל – אֲסוּר. עֲשָׂה גֹי כְּבֶשֶׁת לִירֵד בּוֹ – יוֹרֵד אַחֲרָיו יִשְׂרָאֵל, וְאִם בְּשִׁבְלֵי יִשְׂרָאֵל – אֲסוּר. מַעֲשֶׂה בְּרַבִּן גְּמִלְיָאֵל וְזִקְנִים שֶׁהָיוּ בְּאֵין בְּסַפְיָנָה, וְעָשָׂה גֹי כְּבֶשֶׁת לִירֵד בּוֹ, וְיֵרְדוּ בּוֹ רַבִּן גְּמִלְיָאֵל וְזִקְנִים.

גַּמ' וְצִרְיָא, דְּאִי אֲשַׁמְעִין נָר – מִשּׁוּם דְּנֵר לְאֶחָד נָר לְמַאָה, אֲבָל מִים – לִיגִיר דִּילְמָא אֵתִי לְאִפּוּשֵׁי בְּשִׁבְלֵי יִשְׂרָאֵל. וְכַבֵּשׁ לָמָּה לִּי? מַעֲשֶׂה דְּרַבִּן גְּמִלְיָאֵל וְזִקְנִים קָא מְשַׁמְעֵי לָן.

Rabbi Abba bar Kahana said to him: They are like those from your father's house, which are large (*Tosafot*).^N

And Rabbi Abba bar Kahana said that Rabbi Hanina said: The sedan chairs of the house of Rabbi Yehuda HaNasi may be moved on Shabbat. Rabbi Zeira said to Rabbi Abba bar Kahana: Are you referring to sedan chairs that can be moved by one person or those that can be only moved by two people? He said to him: They are like those from your father's house.

And Rabbi Abba bar Kahana said: Rabbi Hanina permitted the members of the household of Rabbi Yehuda HaNasi to drink wine transported in a gentile's wagons even though the wine was sealed only with one seal.^H He was not concerned that perhaps the gentile may have opened the barrel and poured wine libations to idolatry from it or touched it, which would prohibit drinking it. Rabbi Abba bar Kahana adds: And I do not know if that is because Rabbi Hanina holds in accordance with the opinion of Rabbi Eliezer, who permits drinking wine from a gentile that was protected by a single seal, or if it was because the gentile would not dare to open these specific casks due fear of the household of the *Nasi*, but in general Rabbi Hanina prohibited drinking wine protected by a single seal.

MISHNA If a gentile kindled a lamp^H on Shabbat for his own purposes, a Jew also uses its light; and if the gentile kindled it for a Jew, the Sages prohibited to utilize its light. Similarly, if a gentile drew water from a well in the public domain to give his animal to drink,^N a Jew gives his own animal to drink after him from the same water; and if he drew the water initially for the benefit of a Jew, it is prohibited for a Jew to give his animal to drink from that water. Similarly, if a gentile made a ramp^B on Shabbat to disembark from a ship, a Jew disembarks after him; and if he made the ramp for a Jew, it is prohibited. There was an incident in which Rabban Gamliel and the Elders were traveling on a ship and a gentile made a ramp on Shabbat in order to disembark from the ship on it; and Rabban Gamliel and the Elders disembarked on it as well.

GEMARA The Gemara comments: And it was necessary to teach this *halakha* in all these cases. As, had it taught us only the *halakha* with regard to a lamp, I would have said that this is the *halakha* because the light of a lamp for one is the light of a lamp for one hundred people. There is no need to kindle multiple lamps for multiple people; the light of one candle suffices for many. Therefore, it is permitted to use the light of a lamp kindled by a gentile. However, with regard to water, there is room to issue a decree against benefitting from the gentile's efforts, lest one come to increase the amount of water he draws for a Jew, even without stating that intention. The Gemara asks: And why do I need the mishna to mention that it is permitted to use the ramp? The Gemara answers: It taught us the case of the ramp to cite the incident involving Rabban Gamliel and the Elders to indicate that they followed this ruling in practice.

The Sages taught: If a gentile collected grass^H on Shabbat for himself, in order to feed his animal, a Jew may feed his own animal after him, and if he collected it for the benefit of a Jew, it is prohibited. If he drew water to give his animal to drink, a Jew may give water to his own animal to drink after him, and if he drew it for the benefit of a Jew it is prohibited. In what case is this statement, that if the gentile acted for himself it is permitted for a Jew to benefit, said? When the gentile does not know him; however, if the gentile knows him, it is prohibited, as in that case, he certainly intended to benefit his Jewish acquaintance as well.

One may position his animal over grass on Shabbat – **מַעֲמִיד אֶדְם בְּהֶמְתּוֹ עַל גְּבִי עֲשָׂבִים בַּשַּׁבָּת**: A person may position his animal over grass growing in the ground without concern lest he pull out grass to feed the animal. However, it is prohibited to position an animal over an object that is set-aside. Nonetheless, it is permitted to position the animal near the set-aside item and allow the animal to approach the object by itself, in accordance with the opinion of Rav Huna (Rambam *Sefer Zemanim, Hilkhos Shabbat* 21:36; *Shulḥan Arukh, Oraḥ Ḥayyim* 324:13).

A lamp for one is a lamp for one hundred – **נֵר לְאַחַד נֵר לְמֵאָה**: If a gentile performed a labor on Shabbat for himself, it is permitted for a Jew to benefit from it provided that no further effort is necessary for others to benefit from it. Examples of this are kindling a lamp and the lowering a ramp. This applies even if the gentile knows the Jew (Rambam *Sefer Zemanim, Hilkhos Shabbat* 6:4; *Shulḥan Arukh, Oraḥ Ḥayyim* 325:11).

A bathhouse in a city in which Jews and gentiles live – **מְרֻחָץ בְּעִיר שִׁישְׁרָאֵל וְגוֹיִם דְּרִים בְּתוֹכָהּ**: If there is a bathhouse that operates on Shabbat in a city where both Jews and gentiles reside, it may be used by Jews immediately after Shabbat if the majority of the city's inhabitants are gentiles. If the majority or half of the city's residents are Jews, one must wait after Shabbat for the period of time it would take to heat the bath before using it (Rambam *Sefer Zemanim, Hilkhos Shabbat* 6:7; *Shulḥan Arukh, Oraḥ Ḥayyim* 326:13).

A lamp kindled at a banquet – **נֵר הַדּוֹלֵק בְּמִסְבָּה**: When Jews and gentiles are gathered together on Shabbat and a gentile kindles a lamp, the Jews are permitted to benefit from the light if the majority of people present are gentiles. If the majority or half of those in attendance are Jews, the Jews may not benefit from the light (Rambam *Sefer Zemanim, Hilkhos Shabbat* 6:4; *Shulḥan Arukh, Oraḥ Ḥayyim* 276:2).

אינו? והאמר רב הונא אמר רבי חנינא: מעמיד אדם בהמתו על גבי עשבים בשבת, אבל לא על גבי מוקצה בשבת! דקאים לה באפה, ואולא היא ואכלה.

אמר רב: "במה דברים אמורים – שאין מכירו, אבל מכירו – אסור." הא רבן גמליאל מכירו הוה! אמר אביי: שלא בפניו הוה. רבא אמר: אפילו תימא בפניו, נר לאחד נר למאה.

מיתבי, אמר להן רבן גמליאל: הואיל ושלל בפנינו עשאו – נר בו! אימא: הואיל ועשאו נר בו.

תא שמע: עיר שישראל וגוים דרין בתוכה והיתה בה מרחץ המרחצות בשבת, אם רוב גוים – מותר לרחוץ בה מיד, אם רוב ישראל – ימתין בכדי שיחמו חמיו! היתם, כי מחממי – אדעתא דרובא מחממי.

תא שמע: נר הדלוק במסבה, אם רוב גוים – מותר להשתמש לאורה, אם רוב ישראל – אסור. מוקצה על מוקצה – אסור. היתם נמי, כי מדלקי –

The Gemara asks: Is that so? Didn't Rav Huna say that Rabbi Hanina said: One may position his animal over grass on Shabbat,^H even grass that is growing in the ground, and there is no concern lest he detach the grass and feed the animal; however, he may not position the animal over an item that is set aside^N on Shabbat, since there is concern lest one lift the item with his hand. The grass that the gentile collects for himself is certainly set aside, so why may the Jew feed it to his animal? The Gemara answers: Indeed, a Jew may not position his animal over the grass that a gentile picked; he may only position it in before the grass at a distance, and the animal goes on its own and eats.

We learned above that the Master said: In what case is this statement, that if the gentile acted for himself it is permitted for a Jew to benefit, said? When the gentile does not know him; however, if the gentile knows him, it is prohibited. The Gemara asks: However, in the incident involving Rabban Gamliel and the ship, it is a case where the gentile knows him as they traveled together on the ship. Abaye said: The action was not performed in Rabban Gamliel's presence, and since the gentile had not seen him he intended to make it only for himself. Rava said: Even if you say that the gentile made the ramp in his presence, that is irrelevant because a lamp for one is a lamp for one hundred;^H similarly, with regard to a ramp, once the gentile constructs it for his own use it can be used by others with no further adjustments.

The Gemara raises an objection to Rava's statement based on the *Tosefta*: Rabban Gamliel said to them: Since he made it not in our presence, we will disembark on it. Rabban Gamliel made use of the ramp only for this reason, contrary to Rava's explanation. The Gemara rejects this: Say the *Tosefta* in an emended form: Rabban Gamliel said to them: Since he made it, we will disembark on it.

Come and hear proof from another *baraita* with regard to the dispute between Abaye and Rava: With regard to a city where both Jews and gentiles live and there was a bathhouse in it^H in which there is bathing on Shabbat, if the majority of the city's residents are gentiles, it is permitted to bathe in the bathhouse immediately after Shabbat because the bathhouse was heated on Shabbat to serve the gentiles. However, if there is a majority of Jews in the city, one waits after Shabbat for a period of time sufficient for them to heat the hot water so as not to benefit from prohibited labor performed on Shabbat. Apparently, even when an action is not performed in the presence of a Jew, there is concern that it may have been performed for the benefit of Jews. The Gemara rejects this proof: There, in the case of the *baraita*, when they heat the water, they heat it with the majority of the city's inhabitants in mind, and the owner of the bathhouse sets the heating schedule to service the majority.

Come and hear a proof from the following *baraita*: With regard to a lamp kindled at a banquet^H in which several people are participating, if the majority of those present are gentiles it is permitted for a Jew to utilize its light, and if the majority of those present are Jews it is prohibited, as in that case, the lamp was certainly lit for the Jews' benefit. If those present are half Jews and half gentiles, it is prohibited. Since they are participating in the same banquet, the gentile certainly knows the Jew. Why, then, is it permitted for a Jew to utilize the light of the lamp even when the majority of those present are gentiles? The Gemara rejects this proof: There, too, when they kindle the lamp,

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^Hאבל לא על גבי – However, not over an item that is set aside – *מוקצה*: The *ge'onim* explain that the reference here is not to an item that is set-aside but to a place, known as *muktze*, in one's courtyard designated for laying out fruits to dry. With regard to the Gemara's discussion, it is permitted to position one's animal over grass growing from the ground. Just as there is no problem with the animal severing grass from the ground (see *Tosafot*),

there is also no concern lest one uproot the grass to feed the animal due to the severity of the category of prohibited labor of reaping. However, with regard to items that are set-aside, which is a rabbinic prohibition, the Sages were concerned lest one move the object because the prohibition of moving items that are set-aside is not as severe. Therefore, they prohibited positioning an animal directly over set-aside items.

NOTES

Shmuel happened to come to the house of Avin Toran – שְׁמוּאֵל אֵיִקְלַע לְבֵי אָבִין תּוֹרָן: According to the Jerusalem Talmud, Avin Toran was a Persian who hosted Shmuel. Therefore, Shmuel was concerned that the gentile kindled the lamp for him.

HALAKHA

גוי העושה – A gentile who performs an act for himself – לְצוּרְךָ עֲצֻמוֹ: If a gentile kindles a lamp for his own use on Shabbat, a Jew is permitted to benefit from its light (*Shulḥan Arukh, Oraḥ Ḥayyim* 276:2).

אֲדַעְתָּא דְּרֹבָא מְדַלְקִי.

they kindle it with the majority of the those present at the banquet **in mind**. When the majority of those present are gentiles, it is permitted.

שְׁמוּאֵל אֵיִקְלַע לְבֵי אָבִין תּוֹרָן, אֲתָא
הָהוּא גוֹי אֲדַלְקִי שְׂרָגָא. אֶהְדְּרִינָהּ שְׁמוּאֵל
לְאַפִּיָּהּ. בֵּין דְּחֻזָּא דְּאִיִּתִּי שְׁטַר וְקָא קָרִי,
אָמַר: אֲדַעְתָּא דְּנַפְשִׁי הוּא דְּאֲדַלְקִי.
אֶהְדְּרִינָהּ אִיהוּ לְאַפִּיָּה גַבִּי שְׂרָגָא.

The Gemara relates that Shmuel happened to come to the house of Avin Toran.^N A certain gentile came and kindled a lamp. Shmuel turned his face back away from the lamp in order to avoid benefitting from the light. When Shmuel saw that the gentile brought a document and was reading it, he said: He kindled it with his own benefit in mind.^H He turned his face back toward the lamp.

הדרן עלך כל כתבי

Summary of Perek XVI

The halakhic principles presented in this chapter are based upon the idea that extinguishing a fire on Shabbat is biblically prohibited. In these circumstances, the fire poses no danger to human life. There are significant differences between the rules described in the Talmud and what is actual halakhic practice nowadays, for two main reasons. The risk to human life has increased, both because of the way houses are built and because of the prevalence of combustible materials in private homes. Also, most halakhic authorities have concluded that extinguishing a fire only involves a rabbinic prohibition.

At any rate, the conclusions reached in this chapter were as follows: One can rescue from a fire on Shabbat only those materials that are essential for human consumption or use on that Shabbat, that are not detectable by an observer as superfluous materials, and whose rescue constitutes no additional burden.

For many of the materials mentioned in this chapter, one can employ stratagems to rescue more than what would otherwise be permitted. This is because the core of the prohibition is based only upon rabbinic decree, and the Sages did not institute additional stringencies in these matters.

Since this chapter discussed the rescue of sacred writings and elucidated many laws concerning under what circumstances rescuing them is permissible, it also elucidated which texts are not included in the category of holy writings .

In connection with the subject of fire, various other problems arose, e.g., is it permissible to use objects gentiles produced on Shabbat, either while they were extinguishing a fire or through other means. Here too, an underlying principle was established that forms the basis of many laws. Essentially, anything produced through an act that was not performed directly at a Jew's behest or that was originally performed for the sole benefit of the gentile himself is permissible for a Jew to use, even if the act was performed on Shabbat. But it is prohibited for a Jew to use an item a gentile produced on Shabbat on the Jew's behalf, even if he did not explicitly request that the gentile do so. All the more so is this the case if the Jew instructed the gentile to perform labor on his behalf.

Requesting that a gentile perform labor on Shabbat constitutes a transgression of a *shevut*, a rabbinic prohibition.

Introduction to Perek XVII

This chapter is devoted to a thorough analysis of the prohibition against handling items that are *muktze*, set aside from use on Shabbat. This *halakha* has already been mentioned several times in tractate *Shabbat*, but it has not yet been addressed in a systematic and thorough fashion. The prohibition applies to items that one has mentally set aside from using on Shabbat for some reason, meaning that one assumes he will not use them over the course of Shabbat.

It is not entirely clear why handling items that have been set aside is prohibited. Some have explained that the decree against handling such items serves as a protective measure to ensure that one will not perform prohibited labors on Shabbat. If one may not handle the items used to perform prohibited labors, one will not perform the prohibited labors themselves. Others have suggested that the prohibition is meant to protect against violation of the prohibited labor of carrying from one domain to another. By limiting one's ability to handle a large number of items, the Sages sought to decrease the likelihood that one would carry items between domains.

Halakhic discussions generally focus on three types of set-aside [*muktze*] items: Items set aside because of repulsiveness, items set aside because of function, and items set aside because of monetary loss. The first group includes things that are not generally used or handled, either because they are dirty or because they are repulsive for some other reason. The second group includes objects whose primary function is for an activity that constitutes a prohibited labor on Shabbat. The third group includes items that are generally used only for a particular activity that is prohibited on Shabbat, and the owner of these items is careful not to use them for any other purpose, due to a concern that they will be damaged and he will suffer a financial loss.

This chapter cites the opinions of the *tanna'im* and a variety of different views with regard to the categories of items that are set-aside and that therefore are fully or partially forbidden to be handled on Shabbat. It also establishes the halakhic conclusions that are to be drawn based upon these opinions.

The laws and principles of the prohibition of set-aside form the primary subject matter of this chapter, but the topic is not exhausted here. Various aspects of this prohibition will be addressed in later chapters.

מתני' כל הכלים ניטלין בשבת ודלתותיהן עמהן, אף על פי שנתפרקו, בשבת, שאינן דומין לדלתות הבית, לפי שאינן מן המוכן.

נוטל אדם קורנס לפצע בו את האגוזין, קרדום – לחתוך בו את הדבילה, מגירה – לגור בה את הגבינה, מגרפה – לגרוף בה את הגרורות,

את הרוחת ואת המלגו – לתת עליו לקטן, את הכוש ואת הכרבר – לתחוב בו, מחט של יד – ליטול בו את הקוצ, ושל סקאים – לפתוח בו את הדלת.

גמ' "כל הכלים ניטלין ואף על פי שנתפרקו בשבת", ולא מיבעיא בחול?

אדרבה, בשבת – מוכנין על גבי אביהן, בחול – אין מוכנין על גבי אביהן.

אמר אביי, הכי קאמר: כל הכלים ניטלין בשבת ודלתותיהן עמהן, אף על פי שנתפרקו בחול – ניטלין בשבת.

תנו רבנן: דלת של שידה ושל תיבה ושל מגדל – נוטלין, אבל לא מחזירין ושל לול של תרנגולים – לא נוטלין ולא מחזירין.

בשלמא של לול של תרנגולים – קסבר: בין דמחברי בארעא – יש בגין בקרקע, יש סתירה בקרקע. אלא של שידה ושל תיבה ושל מגדל מאי קסבר?

אי קסבר "יש בגין בכלים" – יש סתירה בכלים, ואי "אין סתירה בכלים" – אין בגין בכלים.

אמר אביי: לעולם קסבר "יש בגין בכלים" ויש סתירה בכלים – ושנטיטל קאמר.

MISHNA All vessels may be moved on Shabbat, and their doors, which are part of these vessels, along with them,^H even if they were dismantled on Shabbat,^N as the doors of these vessels are unlike the doors of the house. It is prohibited to make use of the doors of a house on Shabbat, even if they were removed from the entrance, because they are not prepared from before Shabbat.

Likewise a person may move a mallet, which is generally used for labor prohibited on Shabbat,^H to crack nuts with it. Likewise, one may move an axe, a tool generally used to chop wood, to cut a cake of figs with it. So too, one may move a saw to cut cheese with it. Similarly, one may move a spade to scoop dried figs with it.

One may also move a winnowing shovel and a pitchfork, both of which are designated for use with crops in a barn, to place food on it for a child. One is likewise permitted to take a reed or a shuttle from a spindle, ordinarily used for weaving, in order to insert it into food like a fork. One is permitted to move an ordinary hand needle used for sewing clothes to extract a thorn with it, and one may move a sack maker's needle^B to open the door with it.

GEMARA The mishna states: All vessels may be moved, and even if they were dismantled on Shabbat. Should we learn from here that there is only a question with regard to vessels which were dismantled on Shabbat, and that there is no need to mention vessels detached during the week, as it is certainly permitted to carry them on Shabbat?

On the contrary, if they were dismantled on Shabbat it can be said that the parts of the vessel were prepared for use at the onset of Shabbat, due to their being attached to their original vessels^N from which they were removed. However, if they were detached during the week, at the onset of Shabbat they would not have been prepared for use, due to their being detached from their original vessels from which they were removed.

Abaye said that this is what the mishna is saying: All vessels may be moved on Shabbat along with their doors. And even if they came apart during the week, they may be moved on Shabbat.

The Sages taught: With regard to the door of a chest, or of a box, or of a closet,^H one may remove them from their hinges on Shabbat, but he may not restore them to their original places. And with regard to the door of a chicken coop, one may neither move it nor restore it to its place.

Granted, in the case of a chicken coop the *tanna* holds: Since the coop is attached to the ground, there is a prohibition against building on the ground and there is a prohibition against dismantling on the ground. Consequently when one dismantles or restores the door he has performed the prohibited labor of building. However, in the case of the door of a chest, or a box, or a closet, what does he hold?

If the *tanna* holds that there is a prohibition against building with regard to vessels, then there is also a prohibition against dismantling with regard to vessels^H and it should be prohibited to remove the door. And if there is no prohibition against dismantling with regard to vessels and it is permitted to remove the door, then there should also be no prohibition against building with regard to vessels. Why, then, is it prohibited to restore a door to its original place?

Abaye said: Actually, he holds that there is a prohibition against building with regard to vessels and there is also a prohibition against dismantling with regard to vessels. To resolve the difficulty, emend the text. Rather than saying: One may remove them, it is saying: The doors of a chest, or a box, or a closet that were already removed may not be restored.

HALAKHA

All vessels may be moved on Shabbat, and their doors with them – בשבת – ידלתותיהן עמהן: It is permitted to move doors that were removed from vessels that may be moved on Shabbat, whether the doors were removed during the week or on Shabbat (Rambam *Sefer Zemanim, Hilkhot Shabbat* 22:25; *Shulḥan Arukh, Orah Ḥayyim* 308:8).

A utensil whose primary function is for a prohibited use – כלי שפלאכתו לאיסור – It is permitted to move a utensil whose primary function is for a prohibited use, e.g., a hammer, for the purpose of performing a labor permitted on Shabbat, e.g., cracking nuts, in accordance with the mishna and with Rava's explanation (Rambam *Sefer Zemanim, Hilkhot Shabbat* 22:7; *Shulḥan Arukh, Orah Ḥayyim* 308:3).

The door of a chest, or of a box, or of a closet – דלת של שידה ושל תיבה ושל מגדל: It is permitted to remove the doors from chests, boxes, and closets on Shabbat. However, it is forbidden by rabbinic decree to restore them, lest one fix them in place firmly, which is prohibited as the work of a craftsman. It is forbidden to remove or to replace the door of a chicken coop or other structures connected to the ground, due to the prohibitions against building and dismantling, as per Rava's explanation and the Tosefta (*Shulḥan Arukh, Orah Ḥayyim* 308:9).

There is building with regard to vessels, there is dismantling with regard to vessels – יש בגין ויש בגין: There is no prohibition against building or dismantling vessels on Shabbat. It is permitted to dismantle and reassemble a vessel that comes apart, provided this requires no exertion or craftsmanship (Rambam *Sefer Zemanim, Hilkhot Shabbat* 22:26; *Shulḥan Arukh, Orah Ḥayyim* 314:1).

NOTES

שנתפרקו – On Shabbat – They were dismantled on Shabbat – בשבת: The commentaries dispute whether or not the phrase: On Shabbat, appears in the mishna. Most subscribe to the version that includes the phrase. Otherwise, it would be difficult to explain that the Gemara introduced the possibility that the vessels were dismantled on Shabbat, only to reject it (*Tosefot Rid*).

מוכנין על גבי – Tosafot raise the suggestion that based on the Gemara below, the opposite is true. Specifically, when vessels break on Shabbat eve it should be permitted to carry the shards. The Me'iri explains that if the vessel is whole, the status of part of it can be defined by the whole. However, if the vessel is broken, the status of individual parts cannot be defined by the main part of the vessel.

BACKGROUND

מחט סקאים – A sack maker's needle



Sack maker's needle from mishnaic era, Eretz Yisrael

NOTES

שָׁמָּה יִתְקַע – שָׁמָּה יִתְקַע: Lest one fix it firmly in place – Some commentaries explain the meaning of this phrase as: Lest one insert a nail or stake to fix the door firmly in its place (Rabbeinu Hananel).

And a winnowing shovel or a pitchfork in order to place food for a child on it – וְאֶת הַרְחַת וְאֶת הַמִּלְגּוֹ לָתֵת עָלָיו לִקְטֹן: The father places the food on a winnowing shovel because he is impure and does not want to render the food that he is feeding his child impure by touching it with his hands (*Me'iri*).

אָמַר לִיהוּדָא: [שְׁתֵּי תְּשׁוּבוֹת בְּדָבָר] חֲדָא: דְּנִיטְלִין קְתָנִי, וְעוֹד: מָאִי "אֲבָל לֹא מַחְזִירִין"? אֲלֵא אָמַר רַבָּא: קִסְבָּר אֵין בְּנִין בְּכָלִים וְאֵין סְתִירָה בְּכָלִים, וְגִזְרָה שְׁמָא יִתְקַע.

נוֹטֵל אָדָם קוֹרֵנְס כּו". אָמַר רַב יְהוּדָה: קוֹרֵנְס שֶׁל אֲגוּזִין לִפְעָע בּוֹ אֶת הָאֲגוּזִין, אֲבָל שֶׁל נִפְחִין – לֹא.

קִסְבָּר: דָּבָר שְׁמִלְאֲכָתוֹ לְאִיסוּר – אִפְּלוּ לְצוּרְךָ גּוֹפֹ אִיסוּר.

אָמַר לִיהוּדָא: אֲלֵא מַעֲתָה, סִיפָא דְקִתְנִי "וְאֶת הַרְחַת וְאֶת הַמִּלְגּוֹ לָתֵת עָלָיו לִקְטֹן" רַחַת וּמִלְגּוֹ מִי מִיחְדֵּי לִיהוּדָא לִקְטֹן? אֲלֵא אָמַר רַבָּא: קוֹרֵנְס שֶׁל נִפְחִין לִפְעָע בּוֹ הָאֲגוּזִין.

קִסְבָּר:

Rava said to him: There are two possible responses with which your statement can be rejected. One is that it is taught in the *baraita*: One may remove them, *ab initio*. And furthermore, what is the meaning of: But one may not restore them? According to your emendation, what is the meaning of the word, but, in this context? Rather, Rava said: The *tanna* holds that there is no prohibition against building with regard to vessels and there is no prohibition against dismantling with regard to vessels, and so why did the *tanna* rule one may not restore the door? It is due to a decree lest one fix it firmly in placeⁿ in the manner of a full-fledged prohibited labor, completing the production process of a vessel.

The mishna states: A person may take a mallet on Shabbat in order to crack nuts with it. Rav Yehuda said: The type of hammer in this case is a hammer designated for nuts to crack nuts with it, but blacksmiths' hammers, no, they may not be used.

That *tanna* holds that using an object whose primary function is for a prohibited use, even for the purpose of utilizing the object itself to perform a permitted action, is prohibited.

Rabba said to him: But if what you say is so, how do you reconcile this with the latter clause of the mishna in which it is taught: And a winnowing shovel or a pitchfork in order to place food for a child on it;ⁿ are a winnowing shovel and a pitchfork designated for use by a child? Rather, Rabba said: The mishna should be interpreted as follows: One may use a blacksmiths' hammer on Shabbat to crack nuts with it.

The *tanna* holds:

Perek XVII

Daf 123 Amud a

HALAKHA

Moving a pestle – טַלְטוּל עָלִי: It is permitted to move a pestle designated for crushing groats, which is a prohibited labor on Shabbat, in order to use it for cutting meat. However, it is prohibited to move it for a different purpose (*Shulhan Arukh, Orach Hayyim* 499:5).

NOTES

One designates a place for them – מֵיִיחָד – לְהוּ מְקוֹם: To designate a place means that one makes sure that the object remains in place and that no one touches it. Therefore, the object in question can be utilized only for a specific action, and is set aside from use for any other activity. This category of set-aside, which will be addressed at length, is referred to as: Set-aside due to monetary loss.

דָּבָר שְׁמִלְאֲכָתוֹ לְאִיסוּר לְצוּרְךָ גּוֹפֹ – מוֹתֵר.

אֵיתִיבִיהּ אַבְיֵי לְרַבָּה: מְדוּכָה, אִם יֵשׁ בָּהּ שׁוֹם – מְטַלְטְלִין אוֹתָהּ, וְאִם לֹא – אֵין מְטַלְטְלִין אוֹתָהּ!

אָמַר לִיהוּדָא: הָאֵם מִנִּי – רַבִּי נַחֲמִיָּה הֵיא, דְאָמַר: אֵין כָּלִי מִטָּל אֲלֵא לְצוּרְךָ תִּשְׁמִישׁוֹ.

אֵיתִיבִיהּ: (בֵּית שְׁמַאי אוֹמְרִים: אֵין נוֹטְלִין אֶת הָעָלִי לְקַצֵּב עָלָיו בָּשָׂר, וּבֵית הִלֵּל מַתִּירִין). וְשׁוּיָן, שְׁאִם קָצַב עָלָיו בָּשָׂר – שְׁאִסוּר לְטַלְטְלוֹ!

סָבַר לְשִׁנּוּי לִיהוּדָא כְּרַבִּי נַחֲמִיָּה, בֵּין דְּשִׁמְעָה לְהָא דְאָמַר רַב חִינָנָא בְּרַ שְׁלִמְיָא מְשִׁמְיָה דְרַב: הֲבֵל מוֹדִים בְּסִיפֵי זִיזֵי וּמְזוּרֵי דְבִין דְּקָפִיד עֲלֵיהֶּוּ – מֵיִיחָד לְהוּ מְקוֹם, הָא נִמֵּי מֵיִיחָד לְהוּ מְקוֹם.

Using an object whose primary function is for a prohibited use, for the purpose of utilizing the object itself to perform a permitted action, is permitted.

Abaye raised an objection to the opinion of Rabba from the *Tosefta*: A mortar, if it still has garlic in it, one may move it on Shabbat, and if not, one may not move it. Apparently, under no circumstances may a mortar be used, even for an action that is generally permitted on Shabbat, because the mortar's primary function is prohibited.

Abaye said to him: In accordance with whose opinion is this *baraita*? It is the opinion of Rabbi Nehemya, who says: A vessel may not be moved on Shabbat except for the purpose of its designated use.

Abaye raised another objection to Rabba's opinion. We learned in a mishna that Beit Shammai say: One may not take a large pestle from a mortar, which is typically used for a prohibited action, in order to cut meat on it^h for the purpose of a Festival. And Beit Hillel permit doing so due to the mitzva of rejoicing on the Festival. And everyone agrees that if one cut meat on it for the purpose of the Festival, that it is then prohibited to move it because there is no further need for it on the Festival. Apparently, it is prohibited to use an object whose primary function is for a prohibited use, even to perform a permitted action.

Initially, Rabba thought to respond to Abaye's objection by saying that this mishna, too, is in accordance with the opinion of Rabbi Nehemya, that a vessel may only be moved on Shabbat for the purpose of its designated use. However, he changed his mind once he heard that which Rav Hinana bar Shelemya said in the name of Rav: Everyone agrees in the case of launderers' pins, presses, and clothing rods (*Arukh*), that since one is particular about them to ensure that they remain intact, he designates a place for them and does not move them for other purposes. Therefore, everyone agrees that it is prohibited to move them. Here, too, the mortar and pestle are specifically designated for a particular use and one designates a place for them;ⁿ therefore, it is prohibited to move them.

איתמר, רבי חייה בר אבא אמר רבי יוחנן: קורנס של זיהבים שנינו, רב שמן בר אבא אמר: קורנס של בשמים שנינו.

מאן דאמר דבשמים – כל שכן דזיהבים.
מאן דאמר של זיהבים – אכל דבשמים
קפיד עליהו.

“ואת הכוש ואת הכרפר כו.” תנו רבנן:
פגה שטמנה בתבן, וחררה שטמנה
בגחלים, אם מגולה מקצתה – מותר
לטלטלה. ואם לאו – אסור לטלטלה.

רבי אלעזר בן תדאי אומר: תוחבין
בכוש או בכרפר והן מנערות
מאליהם. אמר רב נחמן: הלכה כרבי
אלעזר בן תדאי.

למימרא דסבר רב נחמן “טלטול מן
הצד לא שמיא טלטול”? והאמר רב
נחמן: האי פוגלא, מלמעלה למטה –
שרי, ממטה למעלה – אסור! הדר ביה
רב נחמן מהדיא.

“מחט של יד ליטול בה כו.” שלח ליה
רבא בריה דרבה לרב יוסף: ילמדנו
רבינו מחט שניטל חררה או עוקצה
מהו?

אמר ליה: תניתוה, מחט של יד ליטול
בה את הקוצ. וכי מה איכפת ליה לקוצ
בין נקובה לבין שאינה נקובה?

It was stated that there was another amoraic dispute on this topic. Rabbi Hiyya bar Abba said that Rabbi Yohanan said: It was with regard to the hammer of goldsmiths^{HB} that we learned it may be used to crack nuts. Although the goldsmith is particular about ensuring that the hammer remains smooth and avoids using it for any purpose other than its particular use, nevertheless, it was allowed to be used for other permitted actions. Rav Shemen bar Abba said: It was with regard to the hammer of spice merchants^B that we learned it may be used to crack nuts.

The Gemara explains: The one who said it is permitted to crack nuts on Shabbat using the hammer of spice merchants, all the more so that it is permitted to use a hammer typically used by goldsmiths. However, the one who said that it is only permitted to use a hammer used by goldsmiths, but with regard to the hammer of spice merchants, the merchant is particular about it and would not allow it to be used for cracking nuts. Use for other purposes would cause the hammer to absorb foreign smells, which would ruin the spices.

And we learned in the mishna: one may move a reed or a shuttle [karkar]^{LB} in order to stick it into food. The Sages taught in a baraita: With regard to an unripe fig that one buried in straw to accelerate its ripening, and likewise with regard to a cake that one buried in coals^{NH} in order to heat it, if part of it is exposed, it is permitted to move it on Shabbat. And if not, and it was completely covered, it is prohibited to move it lest one come to carry straw or coals, which are set-aside, along with it. It is prohibited for one to move set-aside objects or to cause them to be moved.

Rabbi Elazar ben Tadaï says: One may insert a reed or a shuttle into an unripe fig or a cake that is buried in coals to remove it from its place, and the straw and the coals are shaken off on their own. Rav Nahman says:^N The halakha is in accordance with the opinion of Rabbi Elazar ben Tadaï.

The Gemara asks: Is that to say that Rav Nahman holds: Moving an object in an atypical manner is not considered to be a bona fide act of moving and is permitted on Shabbat? Didn't Rav Nahman say: This radish that was buried in the dirt to protect it, if it was inserted from the top to bottom, i.e., the wider part of the radish is closer to the surface and the narrower part is farther, it is permitted to remove it from the dirt. If it was inserted from bottom to top, and the wider part was farther from the surface, it is prohibited because he thereby moves the dirt. Apparently, Rav Nahman prohibits moving set-aside items even if one does so in an atypical manner. The Gemara answers: Rav Nahman reversed his opinion with regard to that halakha of the radish.

We learned in the mishna: One is permitted to take an ordinary hand needle used for sewing clothes to extract a thorn with it. Rava, son of Rabba, sent the following question to Rav Yosef: Let our teacher teach us: With regard to a needle whose eye or point was removed, what is its legal status, i.e., is moving it on Shabbat permitted?

Rav Yosef said to him: You already learned the answer to that question in the mishna: One is permitted to take an ordinary hand needle used for sewing clothes to extract a thorn with it. And what does the thorn that is stuck in his flesh care whether the needle has an eye or whether it does not have an eye? Since the needle is suited for that purpose, it is permitted to move it.

NOTES

A cake that was buried in coals – שטמנה בגחלים: Rashi emphasizes that these coals were extinguished and the only remaining concern is the prohibition of set-aside. Others explain that even if the coals are smoldering, it is permitted to remove the cake, as the possibility that the coals will ignite or be extinguished is not inevitable (Tosefot Rid).

Rav Nahman's opinion – שישית רב נחמן: Some commentaries

state that the question with regard to the opinion of Rav Nahman does not emerge directly from the statement of Rabbi Elazar ben Tadaï. Rather, since Rav Nahman ruled in accordance with the opinion of Rabbi Elazar, he certainly also accepted that part of the opinion of the Rabbis which permits removing an object partially covered in a set-aside substance if part of the object is uncovered, and without distinguishing between which of the different parts of the object remains covered (Tosefot Rid).

HALAKHA

The hammer of goldsmiths – קורנס של זיהבים: It is permitted to carry a goldsmith's hammer on Shabbat to use for a permitted activity, when no permitted utensil is available (Mishna Berura; Rambam Sefer Zemanim, Hilkhot Shabbat 25:7; Shulhan Arukh, Oraḥ Hayyim 308:3).

An unripe fig that one buried in straw and a cake that one buried in coals – וחררה שטמנה, וחררה שטמנה בגחלים: It is permitted to skewer food items buried in a set-aside substance to remove the food, even though the set-aside substance moves along with it, because the set-aside substance is moved in an atypical manner (Rambam Sefer Zemanim, Hilkhot Shabbat 25:15; Shulhan Arukh, Oraḥ Hayyim 311:9).

BACKGROUND

Hammer of goldsmiths – קורנס של זיהבים:



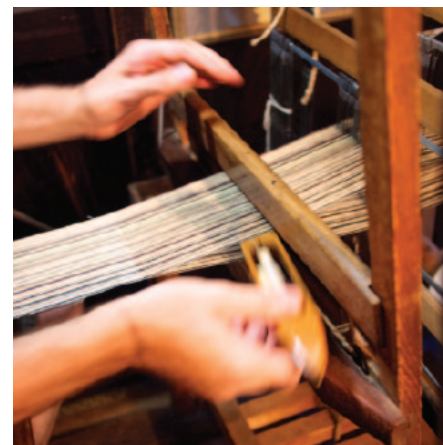
Goldsmith's hammer

Hammer of spice merchants – קורנס של בשמים:



Hammer used for spices

Shuttle – כרפר:



Shuttle, which holds the woof threads, being thrown between the warp threads

LANGUAGE

Shuttle [karkar] – כרפר: From the Greek *kerkis*, *kerkis*, or *kerkidōs*, *kerkidōs*, meaning shuttle or sharply pointed stick used for weaving, as well as any type of pointed rod.

NOTES

ענין טומאה – שבת – Although there are distinctions between the *halakhot* of Shabbat and the *halakhot* of ritual impurity, an item that is no longer considered a vessel with regard to ritual impurity is not considered a utensil with regard to Shabbat either. Indeed, the shard of a broken utensil is set-aside, unless it was designated for a use permitted on Shabbat.

Aligning the limbs of an infant – אסובי ינוקא: Some commentaries explain that this term does indeed mean aligning an infant's limbs. However, it is not referring to a newborn infant, as aligning the limbs of a newborn is certainly permitted, due to the potential risk to its life if its limbs are not aligned. Consequently, it must be referring to a somewhat older infant (*Me'iri*). According to the *ge'onim*, this is referring to the epiglottis, which was dislocated and prevented the child from swallowing. That is the reason it was compared to *afiktoizin*, either because this too may cause vomiting (Rosh) or because the purpose of this procedure, like vomiting, is to restore digestive function (Rashba).

HALAKHA

מחט, בין נקובה וכו' – בין נקובה וכו': It is permitted to move an intact needle on Shabbat to remove a thorn. However, if the point or the eye of the needle was removed, it is prohibited to move it. It is permitted to move a new needle, which has not yet been perforated, to remove a thorn. The *halakha* is in accordance with the opinions of Rava and Abaye (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 311:8; *Shulhan Arukh*, *Orah Hayyim* 308:11).

Aligning the limbs of an infant – אסובי ינוקא: It is permitted to align the limbs of an infant on Shabbat with one's hands (*Mishna Berura*), if the limbs were dislocated at birth. In the *Magen Avraham* it is explained that it is permitted specifically on the day of birth, but afterward it is prohibited. Many authorities disagree and permit aligning the infant's limbs up until the age of one month and beyond (see *Biur HaGra* and *Mishna Berura*). The *halakha* is in accordance with the opinion of Rav Sheshet in disputes with Rav Nahman over ritual matters (Rashi; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 2:14; *Shulhan Arukh*, *Orah Hayyim* 330:9).

LANGUAGE

Junk [gerutaot] – גרוטאות: From the Greek γροτέ, *grutè*, originally meaning haberdashery and what is sold in it, a collection of objects of little value, or a vessel to hold those objects.

Perek XVII

Daf 123 Amud b

אייתיביה מחט שניטל חררה או עוקצה – טהורה!

אמר אביי: טומאה אשבת קרמית? טומאה – כלי מעשה בעיני, לענין שבת – מדי דחוי בעיני, והא נמי חזיא למשקלא בה קוץ.

אמר רבא: מאן דקמותיב – שפיר קמותיב, מדלענין טומאה לאו מנא הוא – לענין שבת נמי לאו מנא הוא.

מיתיבי: מחט, בין נקובה בין שאינה נקובה – מותר לטלטלה בשבת, ולא אמרו "נקובה" אלא לענין טומאה בלבד!

תרגמא אביי אליבא דרבא: בגולמי עסקינן, זימנין דמימלך עליהו ומשוי להו מנא. אבל היכא דניטל חררה או עוקצה – אדם וזרקה לבין גרוטאות.

אסובי ינוקא, רב נחמן אסיר ורב ששת שרי. אמר רב נחמן: מנא אמינא לה – דתנן: "אין עושין

Rava, son of Rabba, raised an objection to Rav Yosef from that which we learned in a mishna: A ritually impure **needle whose eye or point was removed becomes ritually pure**, because its status as a vessel is negated. Since it is no longer considered a vessel, why would it be permitted to move it?

Abaye said: Are you raising a contradiction from the *halakhot* of ritual impurity to the *halakhot* of Shabbat?^N With regard to ritual impurity, we require a functional utensil for it to become ritually impure or to retain impurity, and anything which is not functional is ritually pure. However, with regard to Shabbat we require something that is fit for use, and this too is fit to extract a thorn with it, and therefore, its legal status is that of a utensil and moving it is permitted.

Rava said: The one who raises the objection, raises the objection well. From the fact that with regard to ritual impurity it is not considered a utensil, with regard to Shabbat, it is also not considered a utensil, and if it is not a utensil it may not be moved on Shabbat.

The Gemara raises an objection to the opinion of Rava based on what was taught in a *baraita*: **A needle, whether it is perforated^H or whether it is not perforated, it is permitted to move it on Shabbat. And they said that the status of a perforated needle is different only with regard to ritual impurity alone.**

Abaye interpreted it according to the opinion of Rava: In this mishna, we are dealing with unfinished needles. Sometimes one decides to render them a utensil for other purposes without perforating them. However, in a case where its eye or its point was removed from the finished needle, its status as a vessel was negated, since a person throws it among the junk [*gerutaot*].^L

With regard to the matter of aligning the limbs of an infant^{NH} on Shabbat when it is necessary to do so, Rav Nahman prohibits doing so on Shabbat, due to concern that it is similar to the prohibited labor of completing the production process of a vessel, and Rav Sheshet permits doing so. Rav Nahman says: From where do I say that this is the *halakha*? As we learned in a mishna: One may not make

"אפיקטיוזין בשבת". ורב ששת – התם לאו אורחיה, הכא – אורחיה.

אמר רב ששת: מנא אמינא לה – דתנן: "מחט של יד ליטול בה את הקוץ". ורב נחמן – התם פקיד, הכא – לא פקיד.

afiktoizin, a drug to induce vomiting, on Shabbat. Apparently, actions associated with treating the body on Shabbat are prohibited. And Rav Sheshet explains: There, with regard to a drug to induce vomiting, drinking it for any reason other than medicinal purposes is atypical. Here, aligning the limbs of an infant is typical conduct not undertaken solely for medicinal purposes.

Rav Sheshet said: From where do I say that this is the *halakha*? As we learned in the mishna: One is permitted to take an ordinary hand needle used for sewing clothes to extract a thorn with it. Apparently, some curative actions are permitted and there is no concern that they are similar to completing the production process of a vessel. And Rav Nahman objects: That is no proof, as there, the thorn is merely deposited in the skin and it is not an organic part of the body. Removing a foreign object from the body effects no fundamental change in the body. Here, in the case of aligning the limbs, it is not merely tending to a foreign object deposited in the body; rather it involves effecting a fundamental change in the body itself, which is both a curative act and one similar to completing the production process.

מתני' קנה של זיתים, אם יש קשר בראשו – מקבל טומאה, ואם לאו – אין מקבל טומאה. בין כך ובין כך נטל בשבת.

גמ' אמאי? פשוטי כלי עץ הוא, ופשוטי כלי עץ אינן מקבלין טומאה! מאי טעמא – דומיא דשק בעינן. תנא משמיה דרבי נחמיה: בשעה שמהפך בזיתים הופכו ורואה בו.

מתני' רבי יוסי אומר: כל הכלים נטלין, חוץ מן המסר הגדול ויתד של מחרישה.

גמ' אמר רב נחמן: האי אוכלא דקצרי ביתד של מחרישה דמיא.

אמר אביי: חרבא דאושכפי, וסכינא דאשכבתא, וחצינא דנגרי – ביתד של מחרישה דמי.

תנו רבנן: בראשונה היו אומרים, שלשה כלים נטלין בשבת: מקצוע של דבילה, וזהמא ליסטרן של קדרה וסכין קטנה שעל גבי שלחן. התירו, וחזרו והתירו, וחזרו והתירו, עד שאמרו: כל הכלים נטלין בשבת חוץ מן מסר הגדול ויתד של מחרישה.

מאי "התירו וחזרו והתירו וחזרו והתירו"?

MISHNA A reed that is used for turning olives^{NH} in a bundle, if there is a cork-like knot at the top of it, it can become ritually impure as a vessel, and if not, it cannot become ritually impure, because it is not a vessel. In either case, it may be moved on Shabbat for use in a permitted action.

GEMARA The Gemara asks: Why would this reed become impure? It is in the category of flat wooden vessels without a receptacle, and the governing principle in that case is: Flat wooden vessels do not become ritually impure.^H What is the reason for this? We require an object similar to a sack. The *halakhot* of ritual impurity are derived from the sack mentioned in the Torah as an example of an item that can become ritually impure. If it lacks a receptacle, it is unlike that sack and it cannot become ritually impure. To explain this *halakha*, the Gemara cites that which was taught in a *baraita* in the name of Rabbi Nehemya: At the time that one turns over the olives^H with the reed, he turns over the reed and sees inside it. There is a small cavity at the end of the reed near the knot. He looks there to ascertain whether it has filled with oil, which would indicate that the olives are ready to be placed in the olive press. That cavity is a type of small receptacle, which renders the reed fit to become ritually impure.

MISHNA Rabbi Yosei says: All utensils may be moved on Shabbat except for a large saw^H and the blade of a plow. Since they must be sharp and ready for use and there is concern that they might be damaged, one sets them aside from his consciousness and they may not be used for any other purpose.

GEMARA Rav Nahman says: A launderer's sprinkler^B is considered to be like the blade of a plow. Moving it is prohibited on Shabbat because one sets it aside from use out of concern that it might be damaged.

Abaye says: A shoemaker's knife, and a butcher's knife, and a carpenter's drawknife are considered to be like the blade of a plow, because their owners set them aside from use out of concern that they might be damaged.

The Sages taught in the *Tosefta*: Initially, they would say that only three utensils may be moved^N on Shabbat: A knife for cutting a cake of dried figs, and a combined spoon and fork (*ge'onim*) to clean the filth [*zuhama listeran*]^{LB} of a pot, and a small knife that is on the table. Each of these items is required for eating and may be used, and it had been prohibited to move any other utensil. However, over the generations, when the Rabbis saw that Jewish people were vigilant in observing the prohibitions of Shabbat, they permitted, and then they permitted again, and then they permitted again, until they said in the last mishna: All utensils may be moved on Shabbat except for a large saw and the blade of a plow.

The Gemara asks: What are the stages described in the *Tosefta*: They permitted, and then they permitted, and then they permitted?

HALAKHA

A reed for turning olives – קנה של זיתים – An olive reed that has the status of a utensil is an object whose primary function is for a prohibited use and may be moved for the purpose of utilizing the vessel itself and for utilizing its place (Rambam *Sefer Zemanim, Hilkhot Shabbat* 26:7).

The impurity of flat wooden utensils – טומאת פשוטי כלי עץ – By Torah law, flat wooden vessels without a receptacle cannot become ritually impure with most impurities, with the exception of ritual impurity imparted by the treading of a *zav*. They do become impure with ritual impurity by rabbinic decree (Rambam *Sefer Tahara, Hilkhot Kelim* 1:10).

The impurity of reeds for turning olives – טומאת קנה של זיתים – If a reed used to turn olives has a receptacle, the receptacle and

the part of the reed supporting the receptacle can become ritually impure by Torah law, whereas the remainder of the reed can become impure with ritual impurity by rabbinic law, as per the opinion of Rabbi Nehemya (Rambam *Sefer Tahara, Hilkhot Kelim* 2:2).

All utensils may be moved on Shabbat except for a large saw – כל הכלים נטלין, חוץ מן המסר הגדול – All utensils may be moved on Shabbat except for those which are set aside due to monetary loss, i.e., utensils that one sets aside so they will not be damaged. Everyone agrees that these items are set-aside, and it is prohibited to move them even for the purpose of utilizing the vessel itself or for utilizing its place (Rambam *Sefer Zemanim, Hilkhot Shabbat* 25:9; *Shulhan Arukh, Oraḥ Hayyim* 308:1).

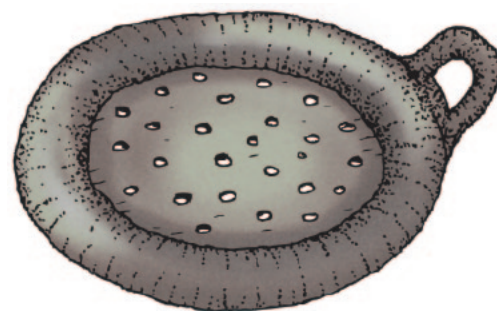
NOTES

A reed for turning olives – קנה של זיתים – In the Jerusalem Talmud, Shmuel explains that the reed for olives is referring to a reed with a small receptacle at one end used to lift olives from the pile. The receptacle is made by knotting the reed, thereby closing off a segment of it. Some commentaries explain that the reed was otherwise hollow and that therefore it could not become impure (*Shenot Eliyahu*).

Three utensils may be moved – שלשה כלים נטלין – Apparently, these three utensils are permitted always and for any purpose, because they are used so frequently (*Ritva*).

BACKGROUND

A launderer's sprinkler – אוכלא דקצרי – A launderer's sprinkler is a utensil full of holes, used to sprinkle water onto garments while they are being ironed or tailored.



Talmudic era launderer's sprinkler

Spoon and fork to clean the filth [*zuhama listeran*] – וזהמא ליסטרן:



Zuhama listeran according to the interpretation of the *ge'onim*

LANGUAGE

Spoon and fork to clean the filth [*zuhama listeran*] – וזהמא ליסטרן: In the Jerusalem Talmud, the word appears as *zumei listeran*, which is closer to the original Greek ζωμός, *zomos*, meaning soup, and λίστρον, *listron*, meaning shovel or a spoon. These two words combined are almost identical to the talmudic expression and mean a large spoon used to ladle soup.

An object whose primary function is for a permitted use – דָּבָר שֶׁמְלֵאכְתּוֹ לְהִיתֵר: On Shabbat it is permitted to move an object whose primary function is for a permitted use. It is also permitted to move an object whose primary function is for both prohibited and permitted uses on Shabbat (*Magen Avraham*), even for the benefit of the object itself, e.g., moving it from the sun to the shade, as per the opinion of Rava (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:3; *Shulhan Arukh*, *Orah Hayyim* 308:4).

NOTES

The dispute between Abaye and Rava – מַחְלֻקַּת אַבְיֵי וְרַבָּא: Ultimately, Abaye and Rava disagree whether or not it is also permitted to move vessels so large that a single person cannot carry them. A similar dispute appears explicitly in the Jerusalem Talmud: With regard to a vessel that is so large and heavy that one designates a place for it, is he considered to have set it aside from use on Shabbat?

This mishna was taught in the days of Nehemiah, son of Hachaliah – בְּיָמֵי נְחֶמְיָה בֶּן חַכְלִיָּה נִשְׁמָע מִשְׁנֵהּ זוֹ: Rabbeinu Tam explains that this mishna only applied to that specific generation. There was no intent to establish a *halakha* for all generations, but merely to address the situation extant at that time. Otherwise, the later courts could not abrogate a decree issued by its predecessors, as that would be in contravention of the principle: A court may not override a decree issued by a previous court, unless it is greater in wisdom and number.

BACKGROUND

מקלות – Poles



Paschal offering hanging from a pole

LANGUAGE

Thick end [*gelostera*] – גְּלוֹסְטֵרָא: From the Greek κλειστρον, *kleistron*, or the Latin claustrum, meaning a bar used to lock a door.

אָמַר אַבְיֵי: "הִתִּירוּ" דָּבָר שֶׁמְלֵאכְתּוֹ לְהִיתֵר לְצוּרֵךְ גּוֹפּוֹ, "וְחִזְרוּ וְהִתִּירוּ" דָּבָר שֶׁמְלֵאכְתּוֹ לְהִיתֵר לְצוּרֵךְ מְקוֹמוֹ, "וְחִזְרוּ וְהִתִּירוּ" דָּבָר שֶׁמְלֵאכְתּוֹ לְאִסּוּר לְצוּרֵךְ גּוֹפּוֹ – אִין, לְצוּרֵךְ מְקוֹמוֹ – לֹא. וְעֵדִין, בְּיָדוֹ אַחַת – אִין, בְּשְׁתֵּי יָדָיו – לֹא. עַד שֶׁאָמְרוּ: כָּל הַכֵּלִים נִטְלִין בְּשַׁבָּת, וְאִפְּלוּ בְּשְׁתֵּי יָדַיִם.

אָמַר לִיה רַבָּא: מִכְּדֵי "הִתִּירוּ" קִתְּנִי, מַה לִּי לְצוּרֵךְ גּוֹפּוֹ מַה לִּי לְצוּרֵךְ מְקוֹמוֹ? אֶלָּא אָמַר רַבָּא: "הִתִּירוּ" דָּבָר שֶׁמְלֵאכְתּוֹ לְהִיתֵר בֵּין לְצוּרֵךְ גּוֹפּוֹ וּבֵין לְצוּרֵךְ מְקוֹמוֹ, "וְחִזְרוּ וְהִתִּירוּ" מִחֻמָּה לְצֵל, "וְחִזְרוּ וְהִתִּירוּ" דָּבָר שֶׁמְלֵאכְתּוֹ לְאִסּוּר לְצוּרֵךְ גּוֹפּוֹ וּלְצוּרֵךְ מְקוֹמוֹ – אִין, מִחֻמָּה לְצֵל – לֹא, וְעֵדִין, בְּאֶדָם אַחַד – אִין, בְּשְׁנֵי בְּנֵי אָדָם – לֹא, עַד שֶׁאָמְרוּ: כָּל הַכֵּלִים נִטְלִין בְּשַׁבָּת אִפְּלוּ בְּשְׁנֵי בְּנֵי אָדָם.

אֵיתִיבֵיהּ אַבְיֵי: מְדוּכָה, אִם יֵשׁ בָּהּ שׁוּם – מִטְּלָטְלִין אוֹתָהּ, וְאִם לֹא – אִין מִטְּלָטְלִין אוֹתָהּ! הֲכָא בְּמֵאֵי עֲסָקִינוּ – מִחֻמָּה לְצֵל. אֵיתִיבֵיהּ: וְשׁוּן שֶׁאִם קָצֵב עָלָיו בֶּשֶׂר שֶׁאִסּוּר לְטַלְטֹל! הֲכָא נָמִי, מִחֻמָּה לְצֵל.

אָמַר רַבִּי חֲנִינָא בְּיָמֵי נְחֶמְיָה בֶּן חַכְלִיָּה נִשְׁמָע מִשְׁנֵהּ זוֹ, דְּכְתִיב: "בְּיָמַי הָיָה רֵאִיתִי בִיהוּדָה דֹּרְכִים גָּתוֹת בְּשַׁבָּת וּמִבֵּיָאִים הָעֲרִימוֹת."

אָמַר רַבִּי אֶלְעָזָר: קִנְיָן וּמִקְלוֹת גְּלוֹסְטֵרָא וּמְדוּכָה בּוֹלָן קוֹדֵם הִתְרַת יָלִים נִשְׁנוּ.

Abaye says: Initially, they permitted moving an object whose primary function is for a permitted use,^h for the purpose of utilizing the object itself to perform a permitted action. And then they permitted moving an object whose primary function is for a permitted use, for the purpose of sitting in or utilizing its place. And then they permitted moving an object whose primary function is for a prohibited use, for the purpose of utilizing the object itself to perform a permitted action, yes; however, for the purpose of utilizing its place, no. And still, utensils that can be held in one of his hands, yes, they may be moved; however, utensils that can only be held in his two hands, no, they may not be moved, in order to signify that there is a prohibition to move certain items. This prohibition remained intact until they said: All utensils may be moved on Shabbat, and even those that can only be held in both hands.

Rava said to him: After all, it was taught in the *Tosefta*: They permitted, what difference is there to me if it is for the purpose of utilizing the object itself, and what difference is there to me if it is for the purpose of utilizing its place; why introduce distinctions that are not explicitly stated in the *Tosefta*? Rather, Rava said that it should be explained as follows: Initially, they permitted moving an object whose primary function is for a permitted use, both for the purpose of utilizing the object itself and for the purpose of sitting in or utilizing its place. And then they permitted moving that object from the sun into the shade. And then they permitted moving an object whose primary function is for a prohibited use, both for the purpose of utilizing the object itself and for the purpose of sitting in or utilizing its place, yes; however, moving that object from the sun into the shade, no, they did not permit it. And still, utensils that can be carried by one person, yes, they may be moved; however, utensils that can only be carried by two people, no, they may not be moved. This prohibition remained intact until they said: All utensils may be moved on Shabbat, and even those that can only be carried by two people.

Abaye raised a challenge to Rava's opinionⁿ from that which was taught: With regard to a mortar, if it has garlic in it, one may move it on Shabbat, and if not, one may not move it on Shabbat. According to Rava's opinion that all utensils may be moved, why is it prohibited to move the mortar? Rava responded: With what we are dealing here? We are dealing with a case of moving the mortar from the sun to the shade. Abaye raised a challenge to Rava's opinion from that which was taught: Beit Shammai and Beit Hillel agree that if one cut meat on it for the purpose of a Festival that it is then prohibited to move it because there is no further need for it on the Festival. According to Rava's opinion, all utensils may be moved. He answered him: Here, too, we are dealing with a case of moving the mortar from the sun to the shade.

Rabbi Hanina said: This mishna was taught in the days of Nehemiah, son of Hachaliah,ⁿ a period when many stringent decrees were issued with regard to Shabbat prohibitions, as it is written: "In those days I saw in Judea some treading winepresses on Shabbat and bringing in heaps of grain and lading donkeys with them; as also wine, grapes, figs, and all manner of burdens which are brought into Jerusalem on the Shabbat day. I forewarned them on that day when they sold food" (Nehemiah 13:15). Since the people treated the sanctity of Shabbat with disdain, Nehemiah instituted many stringencies with regard to all the *halakhot* of Shabbat in order to educate the people to observe Shabbat.

Rabbi Elazar said: The *mishnayot* that deal with the topics of rods, poles,^b the thick end [*gelostera*]^c of the bolt in a door lock, and a mortar were all taught before permission to move utensils on Shabbat was adopted. At that time, moving most utensils was still prohibited and only a small number of utensils whose primary function was for a permitted use were permitted to be moved. The Gemara cites the relevant *mishnayot*.

קידור – קידור – Arranging the rods...moving them – **הקנין...נטילתן**: Arranging or removing the rods of the showbread does not override the prohibitions of Shabbat. They were removed on Shabbat eve and replaced between the loaves after Shabbat (Rambam *Sefer Avoda*, *Hilkhot Temidin UMusafin* 5:11).

קידור קרבן פסח – Procedures for the Paschal lamb – People would hang and flay their Paschal lambs on iron hooks that were fixed in the walls of the Temple. Those unable to find an available hook would place a thin, smooth staff on the shoulders of two people, hang the sacrifice on it, and flay it, as per the unattributed mishna (Rambam *Sefer Korbanot*, *Hilkhot Korban Pesah* 1:14).

A bolt used in a door lock which has a thick end at the head of the bolt – **נגר שיש בראשו גלוסטרא**: It is permitted to move a bolt with one thick end on Shabbat because it is a vessel (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:9; *Shulhan Arukh*, *Orah Hayyim* 313:1).

כל הכלים נישלין – All vessels may be moved – Vessels whose primary function is for a permitted use may be moved for the benefit of the vessel itself, e.g., to move it from the sun into the shade, as per Rava's interpretation of the unattributed mishna. Some authorities rule that it is prohibited to move a vessel for this purpose (Rashba, citing the Rambam; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:3; *Shulhan Arukh*, *Orah Hayyim* 308:4).

Perhaps...were taught after permission to move utensils on Shabbat was adopted – **לדלמא...לאחר**: Rabba's statements on this matter correspond to his later statements. He holds that even according to the Rabbis, it was not permitted to move all types of vessels.

For a specific purpose and not for a specific purpose – **לצורך ושלא לצורך**: Rashi explains the mishna as referring to two different circumstances. All vessels may be moved; some may be moved only for a specific purpose and others may be moved even if not for a specific purpose. The tannaitic dispute is with regard to the definitions of for a purpose and not for a purpose.

קנין – דתנן – לא סידור הקנין ולא נטילתן דוחה את השבת.

מקלות – דתנן: מקלות דקין חלקין היו שם ומניחו על כתפו ועל כתף חבירו ותולה ומפשיט. (אמר רבי אלעזר: ארבעה עשר שחל להיות בשבת מניח).

Rods: Golden rods were placed between the loaves of showbread in the Temple to support the loaves and to aerate them. At that time, moving the rods was prohibited because they were considered to be set-aside, as we learned in a mishna: **Neither arranging the rods nor moving them^H overrides the prohibition of set-aside on Shabbat.**

And the source for the matter of poles is as we learned in a mishna: **There were thin, smooth poles in the Temple, and every Passover eve one places the pole on his shoulder and on the shoulder of another, and suspends the Paschal lamb on it and flays its hide.^H And Rabbi Elazar said: With regard to the fourteenth of Nisan, the day that the Paschal lamb is sacrificed, that occurred on Shabbat, they would not use the poles, as a conspicuous reminder that it was Shabbat. Instead, one places**

his hand on the shoulder of another, and the other's hand on his shoulder, and suspends the lamb and flays its hide.

The source for the **thick end** of a bolt is as we learned in a mishna: With regard to a bolt used in a door lock which has a thick end at the head of the bolt,^H Rabbi Yehoshua says: **One may drag it from this doorway and hang it in another doorway on Shabbat, but he may not move it with his hands, because it was considered to be set-aside. Rabbi Tarfon says: It is like all the other utensils and may be moved in a courtyard.**

The case of a mortar is that which we said above. **Rabba said: From what does that conclusion ensue? Perhaps, actually I could say to you that these mishnayot were taught after permission to move utensils on Shabbat was adopted,^N and nevertheless, the prohibitions can be understood. With regard to the rods for the showbread, what is the reason that they are used? They are used due to concern that the bread will decay. In that brief period until the conclusion of Shabbat it will not decay. With regard to poles, why may they not be used on Passover eve? It is prohibited because it is possible to flay the lamb in accordance with the opinion of Rabbi Elazar. Use of the pole is superfluous, and therefore it is set-aside.**

In the case of the **thick end** of the bolt in the door, why was it prohibited to move it by hand? It was prohibited in accordance with the opinion of Rabbi Yanai, as Rabbi Yanai says: **We are dealing with a courtyard for which a joining of courtyards [eiruv] was not established. Rabbi Yehoshua holds that inside the doorway is considered to be like inside the house, and therefore, he is moving utensils of the houses in the courtyard.** Since there is no joining of the courtyards, one may not move a vessel from the house to the courtyard. And Rabbi Tarfon holds that **inside the doorway is considered to be like outside the house, and therefore, he is moving utensils of the courtyard in the courtyard, which is permitted.**

With regard to a mortar, the *halakha* is in accordance with the opinion of Rabbi Neḥemya, who holds that a vessel may only be moved on Shabbat for the purpose of its designated use.

MISHNA All vessels may be moved^H for a specific purpose and not for a specific purpose.^N Rabbi Neḥemya says: Vessels may only be moved for a specific purpose.

GEMARA The Gemara asks: What is the meaning of: For a specific purpose, and what is the meaning of: Not for a specific purpose?

Perek XVII
Daf 124 Amud a

ידו על כתף חבירו, ויד חבירו על כתפו, ותולה ומפשיט.

גלוסטרא – דתנן: נגר שיש בראשו גלוסטרא, רבי יהושע אומר: שומטה מן פתח זה ותולה בחבירו בשבת, רבי טרפון אומר: הרי הוא ככל הכלים ומיטלטל בחצר.

מדוכה – הא דאמרן. אמר רבה: ממאי? דילמא לעולם אימא לך – לאחר התרת כלים נשנו. קנים טעמא מאי – משום אינפוש, בהאי פורתא לא מיעפש. מקלות – אפשר כרבי אלעזר.

גלוסטרא – כדרבי ינאי, דאמר רבי ינאי: בחצר שאינה מעורבת עסקינן. רבי יהושע סבר: תוך הפתח בלפנים דמי, וקמטלטל מנא דבתים בחצר, ורבי טרפון סבר: תוך הפתח בלחוץ דמי, ומנא דחצר בחצר קא מטלטל.

מדוכה – רבי נחמיה היא.

מתני' כל הכלים נישלין לצורך ושלא לצורך, רבי נחמיה אומר: אין נישלין אלא לצורך.

גמ' מאי לצורך ומאי שלא לצורך?

Rabbi Neḥemya's opinion – שיטת רבי נחמיה – Rabbi Neḥemya's opinion was not completely explicated because the *halakha* is not in accordance with his opinion. The commentaries dispute its details. Rashi explains that when Rabbi Neḥemya permitted moving an object whose primary function is for a permitted use on Shabbat, he did so only for the purpose of using the object itself for its designated purpose. It follows that Rabbi Neḥemya prohibits moving an object whose primary function is for a prohibited use.

Others explain that Rabbi Neḥemya permitted moving an object whose primary function is for a prohibited use, for the purpose of using the vessel itself for a permitted purpose similar to its designated purpose. For example, Rabbi Neḥemya permits utilizing a smith's hammer to crack nuts, which is similar to the manner in which the smith uses the hammer (see Rashba).

In accordance with the opinion of Rabbi Neḥemya, these empty bowls, how do we carry them – אליבא – דרבי נחמיה, הני קערות היכי מטלטלין? This question is based on the interpretation that Rabbi Neḥemya even prohibits moving an object whose primary function is for a permitted use, for the purpose of utilizing its location. According to Rava, one may move the bowls for the purpose of utilizing their location. In the Jerusalem Talmud it is explained that it is certainly permitted to move the bowls if one seeks to refill them. The dispute is only with regard to moving empty bowls for the purpose of utilizing their location.

HALAKHA

One may not prop a pot with a piece of wood – אין סומכין את הקדירה בבקעת: It is prohibited to prop a pot or a door on a piece of wood on a Festival (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 4:11; *Shulḥan Arukh*, *Orah Hayyim* 502:3).

אמר רבה: לצורך – דבר שמלאכתו להיתר לצורך גופו. שלא לצורך – דבר שמלאכתו להיתר לצורך מקומו. ודבר שמלאכתו לאיסור, לצורך גופו – אין, לצורך מקומו – לא. ואתא רבי נחמיה למימר: ואפילו דבר שמלאכתו להיתר, לצורך גופו – אין, לצורך מקומו – לא. אמר ליה רבא: לצורך מקומו שלא לצורך קרית ליה?!

אלא אמר רבא: לצורך – דבר שמלאכתו להיתר, בין לצורך גופו בין לצורך מקומו. שלא לצורך – ואפילו מחמה ליצל. ודבר שמלאכתו לאיסור לצורך גופו ולצורך מקומו – אין, מחמה ליצל – לא. ואתא רבי נחמיה למימר: ואפילו דבר שמלאכתו להיתר, לצורך גופו ולצורך מקומו – אין, מחמה ליצל – לא.

ייתיב רב ספרא ורב אחא בר הונא ורב הונא בר חנינא וותבי וקאמרי: לרבה אליבא דרבי נחמיה, הני קערות היכי מטלטלין? אמר להו רב ספרא: מידי דהוה אגרוף של רעי.

אמר ליה אבבי לרבה: למר, אליבא דרבי נחמיה הני קערות היכי מטלטלין להו? אמר ליה: רב ספרא חברין תרגמה – מידי דהוה אגרוף של רעי.

איתיביה אבבי: מדוכה, אם יש בה שום – מטלטלין אותה, ואם לאו – אין מטלטלין אותה! הכא במאי עסקינן – מחמה ליצל. איתיביה: ושזין שאם קצב עליו בשר שאסור לטלטלו! הכא נמי מחמה ליצל.

והא דתנן: אין סומכין את הקדירה בבקעת, וכן בדלת. והא בקעת דבזים טוב – דבר שמלאכתו להיתר הוא, אלמא: דבר שמלאכתו להיתר, בין לצורך גופו בין לצורך מקומו אסור! היתם מאי טעמא – בין דבשבת דבר שמלאכתו לאיסור הוא, גזירה יום טוב אטו שבת.

Rabba said: For a specific purpose means: Moving an object whose primary function is for a permitted use for the purpose of utilizing the object itself. Not for a specific purpose means: Moving an object whose primary function is for a permitted use for the purpose of utilizing its place. And an object whose primary function is for a prohibited use, for the purpose of utilizing the object itself, yes, it is permitted; for the purpose of utilizing its place, no, it is prohibited. And Rabbi Neḥemya came to say: And even an object whose primary function is for a permitted use, moving it for the purpose of utilizing the object itself, yes; for the purpose of utilizing its place, no. Rava said to him: Do you call for the purpose of utilizing its place, not for a specific purpose? It is for a purpose.

Rather, Rava said: For a specific purpose means: Moving an object whose primary function is for a permitted use both for the purpose of utilizing the object itself and for the purpose of utilizing its place. Not for a specific purpose means: Moving it even from the sun to the shade. And an object whose primary function is for a prohibited use, both for the purpose of utilizing the object itself and for the purpose of utilizing its place, yes, it is permitted; moving it from the sun to the shade, no, it is prohibited. And Rabbi Neḥemya came to say: Even an object whose primary function is for a permitted use, moving it for the purpose of utilizing the object itself and for the purpose of utilizing its place, yes, it is permitted; moving it from the sun to the shade, no, it is prohibited.

It is told that Rav Safra and Rav Aḥa bar Huna and Rav Huna bar Ḥanina sat together and they sat and they said: According to Rabba's explanation in accordance with the opinion of Rabbi Neḥemya^N that it is prohibited to move an object whose primary function is for a permitted use for the purpose of utilizing its place, these empty bowls, how do we carry them?^N Rav Safra said to them: You may move them, just as is the case of a chamber pot containing waste that may be moved because it is disgusting.

Abaye said this same matter to Rabba: According to the Master's explanation in accordance with the opinion of Rabbi Neḥemya, these empty bowls, how do we carry them? He said to him: Our colleague Rav Safra interpreted it: Just as is the case of a chamber pot.

Abaye raised an objection to Rava's opinion from that which was taught: With regard to a mortar, if it has garlic in it, one may move it on Shabbat, and if not, one may not move it on Shabbat. According to Rava's opinion that all utensils may be moved, why is it prohibited to move the mortar? Rava responded: With what we are dealing here? We are dealing with a case of moving the mortar from the sun to the shade, which Rava prohibited. Abaye raised an objection to Rava's opinion from that which was taught: Beit Shammai and Beit Hillel agree that if one cut meat on it for the purpose of the Festival that it is then prohibited to move it because there is no further need for it on the Festival. According to Rava's opinion, all utensils may be moved. He answered him: Here, too, we are dealing with a case of moving the mortar from the sun to the shade.

And Abaye raised another objection with regard to that which we learned in a mishna: One may not prop a pot with a piece of wood,^H and so too, one may not prop a door on a piece of wood. Isn't a piece of wood on a Festival an object whose primary function is for a permitted use, since it is permitted to move it to light an oven? Apparently, there is an opinion that moving an object whose primary function is for a permitted use, both for the purpose of utilizing the object itself and for the purpose of utilizing its place is prohibited, and according to Rabba, even Rabbi Neḥemya does not hold that this is so. Rava answers: There, what is the reason for the prohibition? It is because on Shabbat it is an object whose primary function is for a prohibited use. Since the wood is set aside from use on Shabbat, the Sages issued a decree prohibiting moving it on a Festival, due to Shabbat.

תורת כלי – תורת כלי: It is prohibited to move an object that is not and never was a vessel and is nothing more than raw material, even for the purpose of utilizing it or utilizing its location (Rambam *Sefer Zemanim, Hilkhos Shabbat* 25:6; *Shulhan Arukh, Oraḥ Hayyim* 308:7 and in the comment of the Rema).

משיילין פירות וכו' – It is permitted to lower fruit from the roof into the house via a skylight on a Festival, if it will be ruined by rain. However, on Shabbat it is prohibited to do so, in accordance with the mishna in tractate *Beitza* (Rambam *Sefer Zemanim, Hilkhos Yom Tov* 5:5; *Shulhan Arukh, Oraḥ Hayyim* 338:7, 521:1).

The only difference between a Festival and Shabbat is with regard to the preparation of food alone – **אין – בין יום טוב לשבת אלא אוכל נפש בלבד**: It is prohibited to perform any labor on a Festival that is prohibited on Shabbat whether by Torah law or by rabbinic decree (*Mishna Berura*), with the exception of activities involved in the preparation of food. Such activities include igniting a fire and carrying items from one domain to another. Some authorities prohibit carrying or igniting a fire if these activities have no specific purpose (Rambam *Sefer Zemanim, Hilkhos Yom Tov* 1:1; *Shulhan Arukh, Oraḥ Hayyim* 495:1).

וכי תימא שבת גופיה תישתרי, דהא דבר שמלאכתו לאיסור לצורך גופו ולצורך מקומו שרי! הני מילי – היכא דאיכא תורת כלי עליו, היכא דליכא תורת כלי עליו – לא.

ומי גורנין? והתנן: משיילין פירות דרך ארובה ביום טוב, אבל לא בשבת.

ומי לא גורנין? והתנן: אין בין יום טוב לשבת אלא אוכל נפש בלבד!

אמר רב יוסף: לא קשיא. הא – רבי אליעזר, הא – רבי יהושע. דתניא: אותו ואת בנו שנפלו לבור, רבי אליעזר אומר: מעלה את הראשון על מנת לשוחטו ושוחטו, והשני עושה לו פרנסה במקומו בשביל שלא ימות. רבי יהושע אומר: מעלה את הראשון על מנת לשוחטו ואינו שוחטו, ומערים ומעלה את השני. רצה – זה שוחט, רצה – זה שוחט.

ממאי? דילמא עד כאן לא קאמר רבי אליעזר היתם – אלא דאפשר לפרנסה, אבל היכא דלא אפשר לפרנסה – לא.

אי נמי: עד כאן לא קאמר רבי יהושע היתם – דאפשר בהערמה, אבל היכא דלא אפשר בהערמה – לא.

אלא אמר רב פפא: לא קשיא. הא – בית שמאי, הא – בית הלל. דתנן, בית שמאי אומרים:

And if you say: Moving the wood should be permitted on Shabbat itself because an object whose primary function is for a prohibited use is permitted both for the purpose of utilizing the object itself and for the purpose of utilizing its place, that assertion is rejected. This ruling, which permits moving an object whose primary use is prohibited, applies only in a case where the status of a vessel¹ applies to it; in a case where the status of a vessel does not apply to it, no, it is prohibited.

The Gemara asks: And do we issue decrees prohibiting actions on Festivals due to the fact that they are prohibited on Shabbat? Didn't we learn in a mishna: One may drop fruits² from the roof through a skylight on a Festival, but not on Shabbat. Apparently, the Sages do not prohibit on a Festival all of the actions that are prohibited on Shabbat.

The Gemara asks on the contrary: And do we not issue decrees on a Festival due to Shabbat? Didn't we learn in a mishna: The only difference between a Festival and Shabbat is with regard to the preparation of food alone.³ In all other matters the Sages established that the *halakhot* of Shabbat and Festivals are the same.

Rav Yosef says: This is not difficult. This mishna, which rules that it is prohibited, is in accordance with the opinion of Rabbi Eliezer; that mishna, which rules that it is permitted, is in accordance with the opinion of Rabbi Yehoshua. As it was taught in a *baraita*: It is prohibited to slaughter a mother animal and its offspring on the same day, as it is stated: "You shall not slaughter it and its offspring both in one day" (Leviticus 22:28). With regard to it and its offspring that fell into a pit on a Festival, Rabbi Eliezer says: One may raise the first in order to slaughter it, and then slaughter it; and with regard to the second one, one may provide it sustenance in its place in the pit so that it will not die. Rabbi Yehoshua says: One may raise the first in order to slaughter it, and then reconsider and not slaughter it, and then employ artifice and say that he reconsidered and wants to slaughter the other, and raise the second. If he so desires, he slaughters this one; if he so desires, he slaughters that one. Apparently, Rabbi Yehoshua permits certain actions on a Festival due to financial considerations, and does not issue decrees in those cases.

The Gemara rejects this: From what does that conclusion ensue? Perhaps Rabbi Eliezer only stated that he may not raise the second animal there, in a case where it is possible to save the animal by feeding it in the pit; however, in a case where it is impossible to save it by feeding it in the pit, no, he would permit raising the animal.

Alternatively, Rabbi Yehoshua only said that he may raise the second animal in a case where it is possible to employ artifice; however, in a case where it is not possible to employ artifice, no, he would not permit doing so.

Rather Rav Pappa said: This is not difficult. This mishna is in accordance with the opinion of Beit Shammai, and that mishna is in accordance with the opinion of Beit Hillel. As we learned in a mishna that Beit Shammai say:

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אין מוציאין את הקטן ואת הלולב ואת ספר תורה לרשות הרבים, ובית הלל מתירין.

One may neither carry a child nor a *lulav* nor a Torah scroll out to the public domain on a Festival,⁴ and Beit Hillel permit doing so. Beit Hillel permit carrying objects from one domain to another on a Festival for purposes other than preparing food.

Carrying out objects on a Festival – **הוצאה ביום טוב**: It is permitted to carry objects into the public domain for a specific purpose, even if they are not needed for the purpose of food preparation (Rema), in accordance with the opinion of Beit Hillel (Rambam *Sefer Zemanim, Hilkhos Yom Tov* 1:4; *Shulhan Arukh, Oraḥ Hayyim* 518:1 and in the comment of the Rema).

And isn't the prohibition of moving itself a decree issued due to the prohibition of carrying out – לאו משום הוצאה היא – Rashi understands this statement to mean that the decree of set-aside was issued only to prevent carrying objects from one domain to another. It is permitted to move certain objects in order to facilitate delighting in Shabbat and to enable performing necessary activities on Shabbat.

For you, it is prohibited – לדיך אסור: This prohibition is based on the principle that one rendered it for himself a prohibited object. When one claims a particular item is prohibited, that item becomes prohibited for him, although his claim does not prohibit the item for others.

Brooms made of fine wool garments – מכבדות: The *ge'onim* explain this as referring to brushes used to clean fine wool garments. Clothes brushes are made out of other materials.

And so too, Rabbi Elazar said – וכן אמר רבי: *Ba'al Halakhot Gedolot* cites a variant reading of the *ge'onim*: Rabbi Elazar holds in accordance with the opinion of Rabbi Shimon. Rabbi Shimon, who holds that it is permitted to perform an unintentional act from which a prohibited labor might ensue, also permits sweeping the house with brooms made of palm fronds. Therefore, it is permitted to move them as well.

HALAKHA

Moving an object not for a specific purpose – טלטול שלא לצורך: It is prohibited to move an object whose primary function is prohibited in order to protect it from theft or destruction, which is neither for the purpose of utilizing the object for itself nor for utilizing its location (Rambam *Sefer Zemanim, Hilkhot Shabbat* 25:3; *Shulhan Arukh, Orah Hayyim* 308:3).

Brooms made of fine wool garments – מכבדות: According to most authorities, it is permitted on Shabbat to move a broom and to use it to sweep the floor. Since it is permitted to sweep on Shabbat, a broom is considered to be an object whose primary function is permitted. The authorities who prohibit sweeping with brooms made of palm fronds (Rema and others) also prohibit moving them (*Magen Avraham; Rambam Sefer Zemanim, Hilkhot Shabbat* 26:2; *Shulhan Arukh, Orah Hayyim* 308:49).

All vessels that may be moved on Shabbat, their shards may be moved along with them – כל הכלים הנשלין בשבת שבריהן נשלין עמהן: It is permitted to move the shards of a utensil whose original function is permitted if the shards can be utilized for any purpose, even if the utensil broke on Shabbat, in accordance with the unattributed mishna. If the shards are not suitable for use, it is prohibited to move them unless they pose a potential hazard (*Kol Bo; Mordekhai*; and others). According to the opinion that it is prohibited to move objects that came into being on Shabbat, it is permitted to move the shards, provided they can be used for the original purpose of the utensil (Rambam *Sefer Zemanim, Hilkhot Shabbat* 26:3; *Shulhan Arukh, Orah Hayyim* 308:6).

אימר דשמעת להו בבית שמאי הוצאה – טלטול מי שמעת להו? וטלטול גופיה, לאו משום הוצאה היא?!

ואף רב סבר לה להא דרבא, דאמר רב: מר שלא יגנב – זהו טלטול שלא לצורך, ואסור. טעמא – שלא יגנב, אבל לצורך גופו ולצורך מקומו – מותר.

איני? והא רב כהנא איקלע לבי רב, ואמר: אייתו ליה שותא לכהנא ליתבי עליה. לאו למימרא דדבר שמלאכתו לאיסור לצורך גופו – אין, לצורך מקומו – לא?

הכי אמר להו: שקולו שותא מקמי כהנא, ואי בעית אימא: התם מחמה לצל הוה.

רב מרי בר רחל הוה ליה ההיא בי סדיותא בשמשא. אתא לקמיה דרבא. אמר ליה: מהו לטלטלינהו? אמר ליה: שרי. אית לי אחרינא. חוו לאורחין. אית לי נמי לאורחים. אמר ליה: גלית אדעתך דכרבה סבירא לך, לכולי עלמא – שרי, לדיך – אסור.

אמר רבי אבא אמר רבי חיאי בר אשי אמר רב: מכבדות של מילתא – מותר לטלטלן בשבת, אבל של תמרה – לא.

רבי אלעזר אומר: אף של תמרה. במאי עסקינן? איילמא לצורך גופו ולצורך מקומו – בהא לימא רב "של תמרה לא"? והא רב כרבה סבירא ליה! אלא מחמה לצל, בהא לימא רבי אלעזר "אף של תמרה"? לעולם מחמה לצל, אימא: וכן אמר רבי אלעזר.

מתני' כל הכלים הנשלין בשבת – שבריהן נשלין עמהן, ובלבד שהיו עושין מעין מלאכה.

The Gemara rejects this: Say that you heard Beit Shammai prohibit carrying out an object from one domain to another; did you hear that they prohibited moving an object? The Gemara rejects that distinction: And isn't the prohibition of moving itself a decree issued due to the prohibition of carrying out?^N One who prohibits carrying out certainly prohibits moving an object as well.

The Gemara adds: And even Rav holds in accordance with this *halakha* of Rava, as Rav said: Moving a hoe so that it will not be stolen; that is an example of moving an object not for a specific purpose,^H and it is prohibited. The Gemara infers: The reason that it is prohibited is that it is moved so it will not be stolen; however, for the purpose of utilizing the object itself and for the purpose of utilizing its place, it is permitted.

The Gemara asks: Is that so? Didn't Rav Kahana happen to come to the house of Rav, and he said: Bring a net for Kahana so that he may sit on it? Is that not to say that with regard to an object whose primary function is prohibited, for the purpose of utilizing the object itself, yes, it is permitted to move it; and for the purpose of utilizing its place, no, it is prohibited?

The Gemara answers that this is what he said to them: Remove the net from before Kahana. That is a case of moving for the purpose of utilizing its place. And if you wish, say instead: There, it was a case of moving the object from the sun to the shade, as it was in a place where it could have been damaged. One might have mistakenly concluded that this was the reason that they were moving the net. Rav specified that the net was being moved for the purpose of utilizing the object itself, not to indicate that moving it for the purpose of utilizing its place is prohibited, but to indicate that moving from the sun to the shade is prohibited.

The Gemara relates that Rav Mari bar Rahl, had felt cushions in the sun on Shabbat. Rav Mari came before Rava and said to him: What is the ruling with regard to carrying them? Rava said to him: It is permitted. Rav Mari said to Rava: I have others, and I do not need these cushions specifically. Rava said to him: Even so, these cushions are suitable for guests. Rav Mari said to him: I also have others for guests and therefore would be moving the cushions so that they would not be ruined in the sun. Rava said to him: You have revealed your opinion that you hold in accordance with the opinion of Rabba. For everyone else, it is permitted to move the cushions in this situation; however, for you, it is prohibited,^N as it is inappropriate to permit one to perform an action that he considers prohibited.

Rabbi Abba said that Rabbi Hiyya bar Ashi said that Rav said: With regard to brooms made of fine wool garments,^{NH} it is permitted to move them on Shabbat because it is permitted to use them. However, brooms made of date-palm fronds, no, they may not be moved. It is prohibited to fill holes in the ground.

Rabbi Elazar says: It is permitted to move even those made of date-palm fronds. The Gemara asks: With what are we dealing? If you say that this is referring to moving it for the purpose of utilizing the object itself and for the purpose of utilizing its place, would Rav say a broom made of date-palm fronds, no, it may not be moved? Doesn't Rav hold in accordance with the opinion of Rava? Rather, this is referring to moving the broom from the sun to the shade, and that these brooms are in a place where they can be damaged. However, it is still puzzling: In this case, would Rabbi Elazar say that even brooms made from date-palm fronds may be moved? The Gemara answers: Actually, this is referring to moving them from the sun, where they will be damaged, to the shade. Emend this and say: And so too, Rabbi Elazar said,^N like Rav, that it is prohibited.

MISHNA All vessels that may be moved on Shabbat, their shards may be moved along with them,^H as long as they are suited for some purpose.

Shards of a glass vessel – שְׂבָרֵי זְכוּכִית – The Sages of the Jerusalem Talmud asked: Why doesn't the Gemara state that a shard of glass can be utilized to cut something, just as is stated in the mishna, which deals with the laws of carrying from domain to domain? They offer two answers: The first is that the Gemara is discussing a shard of glass that is not sharp enough to cut something. The second is that there is a distinction in size between an object large enough to be considered significant with regard to the prohibited labor of carrying out on the one hand, and a smaller size which is sufficient to remove an object from the category of set-aside [muktze].

HALAKHA

These bricks that remained from the building – הֵנִי לִיבְנֵי דְאִישְׁתִּיור מִבְּנִינָא – It is permitted to move for one's own use bricks that remain from constructing a building because he no longer intends to build with them, but to use them for sitting and the like. If the bricks are arranged in a stack, which indicates that the builder intends to use them for building and they are therefore set-aside, it is prohibited to move them even for the purpose of utilizing the object for itself or for making use of its location (Magen Avraham; Mishna Berura). This is in accordance with the opinion of Rav Nahman (Rambam Sefer Zemanim, Hilkhot Shabbat 26:2; Shulhan Arukh, Orach Hayyim 308:17).

שְׂבָרֵי עֲרִיבָה – לְכֶסֶת בֶּהֱן אֶת פִּי הַחֲבִית, שְׂבָרֵי זְכוּכִית – לְכֶסֶת בֶּהֱן אֶת פִּי הַפֶּךְ.

רַבִּי יְהוּדָה אוֹמֵר: בְּלֶבֶד שֶׁיְהוּ עוֹשִׂין מֵעֵין מְלֹאכְתָּן; שְׂבָרֵי עֲרִיבָה – לְצוּק לְתוֹכָן מִקָּפָה, וְשֵׁל זְכוּכִית – לְצוּק לְתוֹכָן שֶׁמֶן.

גמ' אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: מִחֲלוּקָתָא שְׁנִשְׁבְּרוּ מִעֲרֵב שַׁבָּת, דְּמַר סָבַר: מֵעֵין מְלֹאכְתָּן – אִין. מֵעֵין מְלֹאכְתָּא אַחֲרָת – לֹא. וְדַר סָבַר: אֶפְּלוּ מֵעֵין מְלֹאכְתָּא אַחֲרָת.

אֲבָל נִשְׁבְּרוּ בַּשַּׁבָּת – דְּבָרֵי הַכֹּל מוֹתְרִין. הוֹאִיל וּמוֹכְנֵי עַל גְּבִי אֲבִיָּהֶן – מוֹתְרִין.

מוֹתִיב רַב זוּטְרַאי: מְסִיקִין בְּכָלִים וְאִין מְסִיקִין בְּשִׁבְרֵי כָלִים.

דְּנִשְׁבְּרוּ אֵימַת? אֵילִימָא דְנִשְׁבְּרוּ מִעֲרֵב יוֹם טוֹב – עֲצִים בְּעֵלְמָא נִינְהוּ! אֵלָא לֹא – בְּיוֹם טוֹב, וְקִתְנֵי "מְסִיקִין" בְּכָלִים וְאִין מְסִיקִים בְּשִׁבְרֵי כָלִים!

אֵלָא, אִי אֵימַתְמוּ הָכִי אֵימַתְמוּ, אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: מִחֲלוּקָתָא שְׁנִשְׁבְּרוּ בַּשַּׁבָּת, דְּמַר סָבַר: מוֹכֵן הוּא, וְדַר סָבַר: נוֹלֵד הוּא. אֲבָל מִעֲרֵב שַׁבָּת – דְּבָרֵי הַכֹּל מוֹתְרִין הוֹאִיל וְהוֹכְנֵי לְמְלֹאכְתָּא מִבְּעוֹד יוֹם.

תֵּנִי תְּדָא: מְסִיקִין בְּכָלִים וְאִין מְסִיקִין בְּשִׁבְרֵי כָלִים. וְתֵנִיא אֵידֶךְ: כְּשֶׁם שְׁמִסְקִין בְּכָלִים כֵּן מְסִיקִין בְּשִׁבְרֵי כָלִים. וְתֵנִיא אֵידֶךְ: אִין מְסִיקִין לֹא בְּכָלִים וְלֹא בְּשִׁבְרֵי כָלִים.

הָא – רַבִּי יְהוּדָה, הָא – רַבִּי שְׁמַעוֹן, הָא – רַבִּי נַחֲמִיָּה.

אָמַר רַב נַחֲמָן: הֵנִי לִיבְנֵי דְאִישְׁתִּיור מִבְּנִינָא – שְׂרִי לְטַלְטוּלִינְהוּ, דְּחֻזוּ לְמִזְגָּא עֲלֵיהֶו. שְׂרִיגִינְהוּ – וְדֵאִי אֶקְצִינְהוּ.

Shards of a large bowl may be used to cover the mouth of a barrel. Shards of a glass vesselⁿ may be used to cover the mouth of a cuse.

Rabbi Yehuda says: As long as they are suited for a purpose similar to their original use. Shards of a large bowl must be suited to pour soup into them, and shards of a glass vessel must be suited to pour oil into them.

GEMARA Rav Yehuda said that Shmuel said: This dispute in the mishna is only with regard to a case where the vessels broke on Shabbat eve, as this Sage, Rabbi Yehuda, holds that if they are suited for a purpose similar to their original use, yes, it is permitted, and for some other use, no, it is prohibited. And this Sage, the Rabbis, hold: Even if they are suited for some other use, it is also permitted.

But if the vessels broke on Shabbat, everyone agrees they are permitted. The reason for this is since they were designated for Shabbat use and consequently considered prepared at the onset of Shabbat due to their original vessels, it is permitted to move the shards as well.

Rav Zutrai raised an objection from a *baraita*: One may kindle a fire on a Festival with whole vessels, but one may not kindle a fire with shards of vessels.

The Gemara seeks to clarify: Vessels that were broken when? If you say that they were broken before the Festival, why is it prohibited to light a fire with them? They are pieces of ordinary wood. Isn't this referring to a case where they broke on the Festival, and it is taught: One may kindle a fire on a Festival with whole vessels, but one may not kindle a fire with shards of vessels. The legal status of a vessel broken on a Festival, and all the more so one broken on Shabbat, is more stringent, not less.

Rather, if it was stated, it was stated as follows. Rav Yehuda said that Shmuel said: This dispute in the mishna is only with regard to a case where the vessels broke on Shabbat, as this Sage, the Rabbis, holds it was prepared before Shabbat as part of the original vessel, and this Sage, Rabbi Yehuda, holds that it is an item that came into being on Shabbat. Since they were not shards before Shabbat, they are a new entity and are set-aside. However, if they were broken from before the onset of Shabbat everyone agrees that it is permitted to move them, since they were prepared to serve some function while it was still day, before the onset of Shabbat.

With regard to the *halakhot* of Festivals, it was taught in one *baraita*: One may kindle a fire with whole vessels, but one may not kindle a fire with shards of vessels. And it was taught in the other *baraita*: Just as one may kindle a fire with vessels, so too, one may kindle a fire with shards of vessels. And it was taught in yet another *baraita*: One may neither kindle a fire with vessels nor with shards of vessels.

The Gemara resolves the apparent contradiction between the *baraitot*: This *baraita*, which distinguishes between vessels and broken vessels, is in accordance with the opinion of Rabbi Yehuda, who holds that there is a prohibition of set-aside on a Festival. That *baraita*, which permits kindling with both vessels and shards, is in accordance with the opinion of Rabbi Shimon, who holds that there is no prohibition of set-aside on a Festival. This third *baraita*, which prohibits kindling with both vessels and shards, is in accordance with the opinion of Rabbi Nehemya, who prohibits moving a vessel for any purpose other than its designated function.

Rav Nahman said: With regard to these bricks that remained from the buildingⁿ after construction was completed, it is permitted to move them on Shabbat, because they are suited for one to sit on them. And if one arranged them in a pile, he certainly thereby set them aside from his consciousness, and it is prohibited to move them.

A small earthenware shard – חרס קטנה: It is permitted to move for a specific purpose an earthenware shard that broke off of a vessel either on Shabbat or during the week (*Magen Avraham*). This applies everywhere, including the public domain, in accordance with the opinion of Rava, who is a later *amora*, and in accordance with the action, which is greater as a halakhic source. However, one must be certain not to carry four cubits in the public domain because he would thereby violate a Torah prohibition (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:3; *Shulhan Arukh*, *Orah Hayyim* 308:7).

NOTES

And one may not break a shard – ולא יספוט...: Some commentaries explain that one may not cut, nor even merely smooth over, protrusions of shards to render them usable (Rashi and others). Others explain that this means that it is prohibited to attach two shards together (*Arukh*).

אמר רב נחמן אמר שמואל: חרס קטנה מותר לטלטל בחצר, אבל בכרמלית – לא. ורב נחמן דידיה אמר: אפילו בכרמלית, אבל ברשות הרבים – לא. ורבא אמר: אפילו ברשות הרבים.

ואזדא רבא לטעמיה; דרבא הוה קאזיל בריתקא דמחוזא. אתווסאי מסאניה טינא, אתא שמעיה שקל חספא וקא מכפר ליה, רמו ביה רבנן קלא. אמר: לא מיתניא דלא גמירי, מגמיר נמי מגמירי! אילו בחצר הווי – מי לא הוה חזיא לכסויי ביה מנא? חקא נמי – חזיא לדידי.

אמר רב יהודה אמר שמואל: מגופת חבית שנכתתה – מותר לטלטל בשבת. תניא נמי הכי: מגופה שנכתתה – היא ושבירה מותר לטלטלה בשבת, ולא יספות ממנה שבר לכסות בה את הכלי ולסמוך בה כרעי המטה, ואם זרקת באשפה – אסור.

מתקיף לה רב פפא: אלא מעתה, זריק ליה לגלימיה – הכי נמי דאסור? אלא אמר רב פפא:

Rav Nahman said that Shmuel said: With regard to a small earthenware shard,^h it is permitted to move it on Shabbat in the courtyard, because there are vessels there that need to be covered; but in a *karmelit*, no, one may not move it, because typically there are no vessels there and there would be no use for the shard. And Rav Nahman himself said: Even in a *karmelit* it is permitted, but in the public domain, no, it is prohibited. And Rava said: Even in the public domain, it is permitted.

And Rava follows his regular line of reasoning, as Rava was walking in the street of Mehoza and his shoes became dirty with clay. His servant came, took a shard of earthenware from the street, and wiped the clay off. The Sages raised their voice at him to reprimand him. Rava said: Is it not enough for them that they did not learn, but they are also teaching others? If the shard was in a courtyard, wouldn't it be suited to cover a vessel with it? Here too, the shard is also suited to me, and moving it should not be prohibited.

Rav Yehuda said that Shmuel said: With regard to the clay seal of a jug that was broken, it is permitted to move it on Shabbat. That was also taught in a *baraita*: With regard to the clay seal that was broken, it is permitted to move it, and its shards are permitted to be carried on Shabbat. And one may not break a shardⁿ from it to cover a vessel with it or to support the legs of a bed with it. And if one threw it into the garbage dump, it is prohibited to move it because he set it aside from his consciousness.

Rav Pappa strongly objects to this: If that is so, if one throws his cloak into the garbage dump, would you also say that it is prohibited to move it because it is set-aside? Isn't the cloak still fit for use, and its status is not dependent on his intention? Rather, Rav Pappa said:

אם זרקת מבעוד יום לאשפה – אסורה.

If one threw the clay seal of a jug into the garbage dump while it is still day, before Shabbat, it is prohibited to move it on Shabbat because he indicated that he set it aside from use.

אמר בר המדורי אמר שמואל: קרוניות של מחצלת מותר לטלטלם בשבת. מאי טעמא? אמר רבא, בר המדורי אסברא לי: מחצלת גופא למאי חזיא – לכסויי ביה עפרא, הני נמי חזיין לכסויי בהו טינופת.

Bar Hamduri said that Shmuel said: With regard to shreds of reeds that separated from a mat,^h it is permitted to move them on Shabbat. The Gemara asks: What is the reason for this? Rava said: Bar Hamduri explained it to me: The mat itself, for what use is it suited? It is suited to cover dirt with it. These shreds, too, are suited to cover filth with them.

אמר רבי זירא אמר רב: שירי פרוזמיות אסור לטלטלן בשבת. אמר אבוי: במטלניות שאין בהן שלש על שלש, דלא חזיין לא לעניים ולא לעשירים.

Rabbi Zeira said that Rav said: With regard to the remains of cloaks [*perozemiyot*],^{nl} it is prohibited to move them on Shabbat. Abaye said: This is referring to small rags that do not have an area of three by three fingerbreadths,^h that are neither suited for use by the poor nor by the wealthy.

Shreds of reeds that separated from a mat – קרוניות של מחצלת: It is permitted to move the remains of a mat on Shabbat, even from the sun into the shade, because they are suited for covering filth. This is the ruling even if the remains are each smaller than three by three fingerbreadths, the minimal size a rag must be in order for it to be permissible to move it on Shabbat. If they were thrown away before Shabbat, it is pro-

hibited to move them because by throwing them away one has set them aside, thereby preventing their use on Shabbat (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:6; *Shulhan Arukh*, *Orah Hayyim* 308:12).

Small rags that do not have an area of three by three fingerbreadths – מטלניות שאין בהן שלש על שלש: On Shabbat,

it is prohibited to move rags that are smaller than three by three fingerbreadths in size, as per the opinion of Abaye. Some authorities permit moving rags even smaller than three by three fingerbreadths because they are usable (*Magen Avraham*). If the rags are the remains of an object used for a mitzva, e.g., a prayer shawl, it is prohibited to use them (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:6; *Shulhan Arukh*, *Orah Hayyim* 308:13).

Perek XVII

Daf 125 Amud a

NOTES

Remains of cloaks – שירי פרוזמיות: The Ra'avad explains that this refers specifically to the remains of a prayer shawl, as it is indecent to use an object that was used for a mitzva for certain purposes. However, other small rags that are fit for use to wipe surfaces may be moved on Shabbat.

LANGUAGE

Cloaks [*perozemiyot*] – פרוזמיות: From the Greek περιζώμα, *perizoma*, meaning hips, a girdle worn around the loins, or a garment placed over the thighs.

Shards of an old oven – שברי תנור ישן – It is permitted to move shards of an oven on Shabbat if they can still be used in a manner similar to the way the oven is used (*Maggid Mishne*). This is in accordance with the opinion of Rabbi Meir, to whom unattributed *mishnayot* are generally attributed, and the opinions of Rabbi Yosei and Rabbi Eliezer ben Ya'akov (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:6).

About its cover – על כיסויו – It is permitted to move vessel covers on Shabbat, even those without a handle. This applies only to objects that were already used to cover vessels, as per the opinion of Rabbi Eliezer ben Ya'akov (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:13; *Shulhan Arukh*, *Orah Hayyim* 308:10).

Even if it was hanging around a camel's neck – אפילו תלוי – An oven that is not connected to the ground, even one hanging around the neck of a camel, can still become ritually impure like any other oven, as per the opinion of the Rabbis in the mishna in tractate *Kelim* (Rambam *Sefer Tahara*, *Hilkhot Kelim* 15:8).

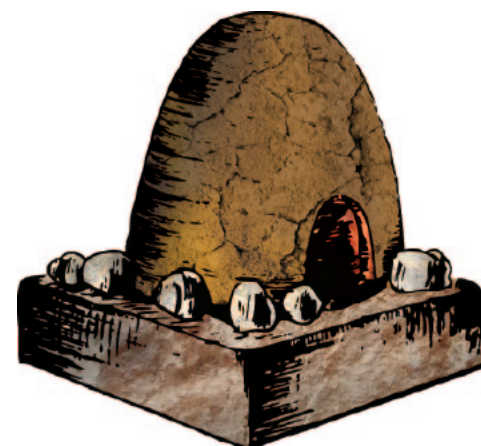
NOTES

שיטת רבא בביאור – Tosefta – The early commentaries wondered about the connection between the ritual impurity of an oven and whether or not it may be moved as a vessel on Shabbat. According to Rava, an object that is not considered a vessel with regard to impurity is not considered a vessel with regard to Shabbat. Therefore, it is prohibited to move its shards (see Rambam; Rashba; *Tosefot Rid*).

נָתַנוּ עַל פִּי הַבּוֹר – Placed it over the mouth of a pit – In ancient times, people generally attached their ovens to the ground with mortar, lit a fire inside the oven, and baked. An oven suspended in the airspace of a pit is not considered a full-fledged oven and is not complete. In addition, there is a Torah edict in the verse in Leviticus (11:35) that states that detaching an oven from the ground renders the oven incomplete. According to Shmuel, even if the oven was fired for the first time, and was thereby rendered a vessel in an unusual manner, its status is not that of a full-fledged vessel.

BACKGROUND

Oven over the mouth of a pit – תנור על פי בור – The oven over the mouth of a pit is supported by stones alongside the pit. The oven is heated by igniting a fire inside the pit.



Oven over the mouth of a pit

The Sages taught in the Tosefta: The shards of an old oven^a may be moved in a courtyard on Shabbat like all of the vessels that may be moved in a courtyard on Shabbat; this is the statement of Rabbi Meir. Rabbi Yehuda says: They may not be moved. Rabbi Yosei testified in the name of Rabbi Eliezer ben Ya'akov about shards of an old oven that may be moved on Shabbat, and about its cover,^b which does not require a handle.

The Gemara asks: With regard to what do they disagree? Abaye said: It is with regard to shards when they serve some function but do not serve a function similar to their own original function that they disagree. And Rabbi Yehuda follows his own line of reasoning, and Rabbi Meir follows his own line of reasoning, as they differed in the mishna.

Rava strongly objects to this: If so, instead of disagreeing with regard to shards of an oven, let them disagree with regard to ordinary shards. Why is the dispute specifically with regard to an oven?^c

Rather, Rava said: It is with regard to shards of this particular oven that they disagree, as we learned in a mishna: With regard to a clay oven that is not attached to the ground with mortar in the standard manner, but rather, one placed it over the mouth of a pit^{nb} or over the mouth of a cistern, and he placed a stone there between the wall of the pit and the oven to secure the oven in place, Rabbi Yehuda says: If one heats the oven from beneath the oven, inside the pit, and the oven is thereby heated at the top, the oven serves its standard function; it is a full-fledged utensil and it can become ritually impure. And if it is not attached so tightly that it is heated at the top, it is ritually pure, because it is not a full-fledged vessel. And the Rabbis say: Since it can be heated in some manner, it can become ritually impure, because it serves its standard purpose.

And with regard to what do they disagree? It is with regard to this verse: “And everything upon which any part of their carcass falls shall be impure; whether oven, or stove, it shall be broken in pieces; they are impure, and they shall be impure to you” (Leviticus 11:35). Rabbi Yehuda holds: An oven that lacks smashing, i.e., it is whole and can be broken, can become impure. One that does not lack smashing, but it is situated in a place where it is not completely effective, is considered broken and is pure, i.e., it cannot become ritually impure. And the Rabbis hold that the verse comes to add: “They shall be impure to you,” in any case, under any circumstances.

The Gemara asks: And according to the Rabbis, too, isn't it written: “They shall be broken into pieces,” and why don't they interpret the verse in the same way that Rabbi Yehuda does? The Gemara explains: The Rabbis understand this verse from another direction, as it could have entered your mind to say: Since he attached it to the ground, its legal status is like that of the ground itself, and anything attached to the ground cannot become impure. Therefore, it teaches us that since it is possible to detach it from the ground, it is indeed impure.

The Gemara asks: And according to the other *tanna*, Rabbi Yehuda, too, isn't it written: “They shall be impure to you”? The Gemara answers: He understood that verse in accordance with that which Rav Yehuda said that Shmuel said, as Rav Yehuda said that Shmuel said: The dispute between Rabbi Yehuda and the Rabbis is specifically with regard to the first lighting. The first lighting transforms an earthenware oven that did not yet completely dry into a vessel. However, with regard to the second lighting they do not disagree, even if it was hanging around a camel's neck;^h since it had already been fired up once, it is impure.

תנו רבנן: שברי תנור ישן הרי הן ככל הכלים הנשליין בחצר. דברי רבי מאיר. רבי יהודה אומר: אין משליין. העיד רבי יוסי משום רבי אליעזר בן יעקב: על שברי תנור ישן שנשליין בשבת, ועל כיסויו שאינו צריך בית יד.

במאי קמיפלגי? אמר אביי: בעושיין מעין מלאכה, ואין עושיין מעין מלאכתן קמיפלגי, ואזידא רבי יהודה לטעמיה, ורבי מאיר לטעמיה.

מתקיף לה רבא: אי הכי, אדמיפלגי בשברי תנור – ליפלגו בשברי כלים בעלמא!

אלא אמר רבא: בשברי דהאי תנור קמיפלגי, דתנן: נתנו על פי הבור או על פי הדות ונתן שם אבן, רבי יהודה אומר: אם מסיק מלמטה והוא נסוק מלמעלה – טמא, ואם לאו – טהור. וחכמים אומרים: הואיל והוסק מכל מקום טמא.

ובמאי קמיפלגי – בהאי קרא: “תנור וכירים ויתץ טמאים הם וטמאים יהיו לכם.” רבי יהודה סבר: מחוסר נתיצה – טמא, שאין מחוסר נתיצה – טהור. ורבנן סברי: “טמאים יהיו לכם” – מכל מקום.

ורבנן נמי, הכתיב “ויתץ!” ההוא לאידך גיסא. דסלקא דעתך אמינא: כיון דחבריה בארעא – בגופא דארעא דמי, קא משמע לן.

ואידך נמי, הכתיב: “טמאים יהיו לכם!” ההיא כדרב יהודה אמר שמואל, דאמר רב יהודה אמר שמואל: מחלוקת בהיסק ראשון, אבל בהיסק שני – אפילו תלוי בצואר גמל.

NOTES

Ceramic board – טַפְקָא: According to Rabbi Yehuda, food is roasted, not baked, on a ceramic board. Therefore, the earthenware shard is not comparable to a complete oven used for baking.

Gourd used to draw water – קִיריָה: According to the Rambam, this is a small, light ceramic vessel used to draw water.

LANGUAGE

Ceramic board [tapka] – טַפְקָא: From the Iranian root tap-, meaning to warm up or to heat. The Persian tābag refers to a frying pan.

HALAKHA

A stone that is in a gourd used to draw water – הָאֶבֶן שֶׁבִּקְרִיָּה: It is permitted to use a gourd to draw water from a well if the stone inside it to weigh it down is firmly attached and will not fall out when filling the gourd with water. If the stone will fall out, it is prohibited to use the gourd, because the stone is set-aside (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:18; *Shulhan Arukh*, *Orah Hayyim* 309:2).

BACKGROUND

A gourd used to draw water – קִיריָה: Different vessels are fashioned from various kinds of gourds, especially from the species *Lagenaria vulgaris*. These vessels include jugs, buckets for drawing water, and dishes. Since these vessels are particularly lightweight and float on water, it is necessary to place a rock inside the gourd to draw water from a well or a stream.



Jugs fashioned from gourds

אָמַר עוֹלָא: וְהִסֵּק רַאשׁוֹן לְרַבֵּנָן – אֶפִּילוּ תְלוּ בְצִוָּאר גָּמֶל.

מִתְקִיף לָהּ רַב אֲשִׁי: אִי הָכִי, אֲדַמְיָלֵגִי בְשִׁבְרֵי תֵנּוֹר – לִפְלֹגוֹ בְּתֵנּוֹר גּוֹפֶה! הֲשֵׁתָא תֵנּוֹר גּוֹפֶה – לְרַבִּי יְהוּדָה לֹא הוּא מִנָּא, שְׁבָרִיו מִיִּבְעִיא?!

אֵלָא אָמַר רַב אֲשִׁי: לְעוֹלָם כְּדָאֲמַרְנָן מִעִיקָרָא, וּבְעוֹשֶׂה מַעֲשֵׂה טַפְקָא: וְרַבִּי מֵאִיר לְדַבְּרֵי דְרַבִּי יְהוּדָה קָאֲמַר: לְדִידִי – אֶפִּילוּ בְּעוֹשִׂין מַעֲשֵׂי מְלָאכָה, אֵלָא לְדִידֶךָ – אוּדֵי לִי מִיָּהָא דְבִהָאֵי גִוְוָא מְלָאכְתָּו הוּא.

וְרַבִּי יְהוּדָה – לֹא דְמִי, הֵתָם – הִסֵּקוּ מִבְּפָנִים, הָכָא – הִסֵּקוּ מִבְּחוּץ, הֵתָם – מְעוּמָד, הָכָא – לֹא מְעוּמָד.

”הֵעִיד רַבִּי יוֹסִי מִשּׁוּם רַבִּי אֱלִיעֶזֶר בֶּן יַעֲקֹב עַל שְׁבָרֵי תֵנּוֹר יִשָּׁן שְׁנִיטְלִין בְּשִׁבְתָּ וְעַל כִּיסוּי שְׂאִינֵי צָרִיךְ בֵּית יָד.” אָמַר רַבִּינָא: כְּמָאן מְטַלְטְלִין הָאִידְנָא כִּיסוּי דְתֵנּוֹרֵי דְמִתָּא מְחֻסָּא דְאִין לָהֶם בֵּית אַחִיזָה, כְּמָאן – כְּרַבִּי אֱלִיעֶזֶר בֶּן יַעֲקֹב.

מתני' הָאֶבֶן שֶׁבִּקְרִיָּה, אִם מְמַלְאִין בָּהּ וְאִינָהּ נוֹפֶלֶת – מְמַלְאִין בָּהּ, וְאִם לֹא – אִין מְמַלְאִין בָּהּ.

Ulla says: And with regard to the first lighting according to the Rabbis, even if it was hanging around a camel's neck, since it had already been fired up once it is a full-fledged oven and is impure.

Rav Ashi strongly objects to this line of reasoning: If so, instead of disagreeing with regard to the shards of an oven, let them disagree with regard to the oven itself. Now the oven itself, according to Rabbi Yehuda, is not considered a vessel; therefore, to say that its broken pieces are not vessels, is it necessary?

Rather, Rav Ashi said: Actually, it is as we said initially, that it is referring to shards of any oven, and with which he crafts a ceramic board [tapka],^{NL} and Rabbi Meir is speaking in accordance with the statement of Rabbi Yehuda: According to my opinion, it is permitted to move even shards that serve any purpose. However, according to your opinion, agree with me at least that in a case of this sort, it is a function similar to their own original function. The shards can be used for baking.

And Rabbi Yehuda says: It is not similar. There, in the case of an intact oven, its firing is from within. Here, with regard to the shard, its firing is from without. There, in the case of an intact oven, it bakes standing; here, it does not bake standing. Therefore, its function is not similar to its original function.

In that same *Tosefta* where Rabbi Yosei testified in the name of Rabbi Eliezer ben Ya'akov about shards of an old oven that may be moved on Shabbat, and about its cover, which does not require a handle, and which is considered a vessel and may be moved as is, Ravina says: In accordance with whose opinion do we now move the oven covers in the city of Mehasya that do not have handles? In accordance with whose opinion is it? It is in accordance with the opinion of Rabbi Eliezer ben Ya'akov.

MISHNA A stone that is in a gourd used to draw water [kiruya],^{NHB} if they fill it with water and the stone does not fall, one may fill with it on Shabbat, and if not, and the stone does fall, one may not fill with it.

זְמוּרָה שֶׁהִיא קְשׁוּרָה בְּטֶפֶחַ – מְמַלְאִין בָּהּ בְּשִׁבְתָּ.

With regard to a vine branch that is tied to a pitcher, one may fill water with it on Shabbat because the branch became part of the vessel.

Perek XVII

Daf 125 Amud b

פקק החלון, רבי אליעזר אומר: בזמן שהוא קשור ותלוי – פוקקין בו, ואם לאו – אין פוקקין בו. וחכמים אומרים: בין כך ובין כך פוקקין בו.

גמ' תנן התם: אבן שעל פי החבית מטה על צידה והיא נופלת. אומר רבה אומר רבי אמי אומר רבי יוחנן: לא שנו אלא בשוכת, אבל במניח – נעשה בסיס לדבר האסור. ורב יוסף אומר רבי אסי אומר רבי יוחנן: לא שנו אלא בשוכת, אבל במניח – נעשה ביסוי להחבית.

אמר רבה: מותבין אשמעתין "האבן שבקירייה אם ממלאין בה ואינה נופלת ממלאין בה" ולא היא, התם בין דהדקה – שווא דופן.

אמר רב יוסף: ומותבין אשמעתין "אם לאו אין ממלאין בה" ולא היא, התם בין דלא הדקה – בטולי בטלה.

במאי קמיפלגי? מר סבר: בעינן מעשה, ומר סבר: לא בעינן מעשה.

ואזדו לטעמיהו: דכי אתא רב דימי אומר רבי חנינא ואמרי לה אומר רבי ירמיה אומר רבי חנינא: פעם אחת הלך רבי למקום אחד ומצא נדבך של אבנים, ואמר לתלמידיו: צאו וחשבו כדי שנגיש עליהן למחר, ולא הצריכון רבי למעשה.

רבי יוחנן אומר: הצריכון רבי למעשה. מאי אומר להו? רבי אמי אומר: צאו ולמדום אומר להו. רבי אסי אומר: צאו ושפספוס אומר להו.

איתמר, רבי יוסי בן שאול אומר: סווא של קורות הוה, ורבי יוחנן בן שאול אומר: גשוש של ספינה הוה. מאן דאמר גשוש – כל שבין סווא, ומאן דאמר סווא, אבל גשוש – קפיד עליה.

With regard to a window shutter,⁸ Rabbi Eliezer says: When it is tied to and hanging from the window, i.e., it is not touching the ground, one may shutter the window with it, because it is not considered building; and if not, i.e., it is touching the ground, one may not shutter the window with it. And the Rabbis say: Both in this case and in that case one may shutter with it.

GEMARA We learned in a mishna there: In the case of a stone that is atop a barrel and one wants to open the barrel, he tilts the barrel on its side and the stone falls. Rabba said that Rabbi Ami said that Rabbi Yohanan said: They only taught this in a case where one forgets the stone atop the barrel; however, in a case where one places^h the stone atop the barrel intentionally, the barrel becomes a base for a prohibited object, and it is therefore prohibited to move the barrel. And Rav Yosef said that Rabbi Asi said that Rabbi Yohanan said: They only taught this in a case where one forgets it; however, in a case where one places it there, the stone becomes a cover for the barrel and it is permitted to use it like other barrel covers.

Rabba said: We raise an objection to our *halakha* from the mishna: With regard to a stone that is in a gourd used to draw water, if they fill it with water and the stone does not fall, one may fill with it on Shabbat. Apparently, if the stone is designated for a purpose, it is no longer set-aside. He rejects the proof: And that is not so, as these cases are not comparable. There, in the case of the stone in the gourd, since one attached it to the gourd, he rendered the stone a wall of the gourd and part of the vessel, unlike in the case of the stone atop the barrel.

Rav Yosef said: And we raise an objection to our *halakha* from the mishna: And if not, and the stone does fall, one may not fill with it. A stone that is not attached is not considered to be part of the vessel and is therefore set-aside. He rejects the proof. And that is not so, as these cases are not comparable. There, since he did not attach the stone to the gourd, he negates its status as a part of the vessel and it remains set-aside.

The Gemara explains: With regard to what do they disagree? One Sage, Rabba, holds that we require an action to change the status of a stone or another set-aside object into a vessel, and one Sage, Rav Yosef, holds that we do not require an action.

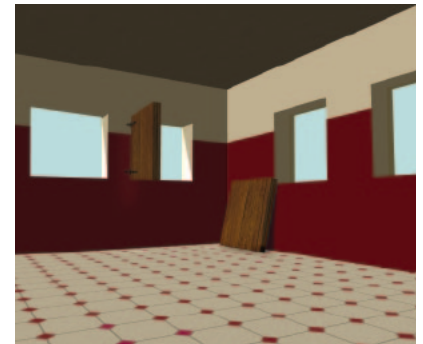
And they, Rabbi Ami and Rabbi Asi, follow their regular line of reasoning, as when Rav Dimi came from Eretz Yisrael to Babylonia he said that Rabbi Hanina said, and some say that it was Rabbi Zeira who said that Rabbi Hanina said: Once Rabbi Yehuda HaNasi went to one place and found a course of building stones,^h and he said to his students: Go out and think that you are designating these stones for Shabbat so that we may sit on them tomorrow on Shabbat, and Rabbi Yehuda HaNasi did not require them to perform an action with those stones. Thought alone was sufficient.

Rabbi Yohanan said: That is not what happened. Rabbi Yehuda HaNasi required them to perform an action to designate the stones. The Gemara asks: What action did he say to them to perform? Rabbi Ami said that Rabbi Yehuda HaNasi said to them: Go out and arrange the stones.ⁿ Rabbi Asi said that he said to them: Go out and rub the mortar off of them. Rabbi Ami requires a more significant action to render the stones a vessel.

It was stated that there was a dispute with regard to this matter. Rabbi Yosei ben Shaul said: It was a new stack of beams, not stones. And Rabbi Yohanan ben Shaul said: It was the sounding pole of a ship used to determine the depth of the water. The one who said that Rabbi Yehuda HaNasi permitted sitting on a ship's sounding pole, all the more so he permitted doing so in the case of beams. And with regard to the one who said that Rabbi Yehuda HaNasi permitted sitting on a stack of beams, but in the case of the sounding pole he would prohibit doing so because it is set-aside due to monetary loss, as he is particular about it that it will not become warped and damaged.

BACKGROUND

Window shutter – פקק החלון: In talmudic times, the window shutter was typically tied to and hanging from the window. At times, wood that was not attached to the window was placed in the window as a shutter. When not in use, it was placed alongside the window and utilized for other purposes as well.



Window shutters resembling those used in talmudic times

HALAKHA

בשוכת... where one places – If one forgets a set-aside item upon a vessel, e.g., a stone atop a barrel, prior to Shabbat, and then wants to take wine from the barrel on Shabbat, it is permitted to tilt the vessel so that the set-aside item will fall. If one placed the set-aside item on the vessel with the intention that it remain there after the start of Shabbat, it is prohibited to tilt or to shake the vessel because the vessel became a base for a prohibited object, in accordance with the opinion of Rabbi Yohanan. Some authorities permit tilting the vessel even if one placed the set-aside item on the vessel with the intention that it remain there after the start of Shabbat, if his intention was to remove it on Shabbat. If he intended that it remain in place for the duration of Shabbat, then the vessel becomes a base for a prohibited object (Rambam *Sefer Zemanim, Hilkhos Shabbat* 25:17; *Shulhan Arukh, Orah Hayyim* 309:4).

נדבך של אבנים – One may not sit on stones designated for construction, even if before Shabbat he thought to utilize them. However, if one arranged the stones before Shabbat, it is permitted to sit on them, in accordance with Rabbi Yohanan and the explanation of Rabbi Ami. Some authorities permitted one to use them even if he merely thought to use them before Shabbat, which is the *halakha* in the case of palm fronds (Rema based on the *Maggid Mishne* in the name of the Rif, Ran, and Rosh; Rambam *Sefer Zemanim, Hilkhos Shabbat* 25:21; *Shulhan Arukh, Orah Hayyim* 308:21 and in the comment of the Rema).

NOTES

צאו ולמדום – Some commentaries explain this phrase to mean learn to identify them. Each student was instructed to choose a specific stone and identify it. That is sufficient to prepare the stone for use on Shabbat, and no action is necessary (*ge'onim*).

NOTES

Stones...hard branches of a palm tree – אבנים...תְּרִיּוֹת שֶׁל – דקל: Some commentaries are of the opinion that since people use these objects in different ways, one cannot make a clear halakhic distinction between stones and branches and therefore thought alone is sufficient to allow them to be moved on Shabbat. Other commentaries explain that there is in fact a difference between these two objects, with regard to the way they are generally used, in one of the following ways: (1) Palm fronds are more suitable for sitting (*Tosafot*); (2) stones are not particularly suitable for sitting because they are hard and cold; (3) stones are expensive and are only prepared for use in construction (*Me'iri*).

A shoot that is still connected – זְמוּרָה מְחוּבֶּרֶת – The law permitting the use of a shoot connected to the ground within three handbreadths of the ground is based on the principle that objects separated by less than three handbreadths are considered connected. Therefore, a shoot within three handbreadths of the ground is considered to be part of the ground. Therefore, the rabbinic decree prohibiting use of a tree does not apply in that case.

A window shutter – פֶּקֶק הַחֲלוֹן – There are various opinions among the commentaries with regard to a window shutter. Rashi holds that the prohibition of building temporary structures applies only to a roof and not to walls. Therefore, the window here is a skylight in the roof. That opinion was rejected in *Tosafot*. With regard to the shutter, some say that it is referring to a piece of wood that is neither connected to the window by a hinge nor by a rope (*Me'iri*). Other commentaries state that this is referring to a cloth curtain that slides open and closed (Rav Natan Av HaYeshiva; Rambam's Commentary on the Mishna).

HALAKHA

A shoot that is still connected – זְמוּרָה מְחוּבֶּרֶת – If a shoot is tied to a bucket, one may utilize the bucket to draw water. However, if the shoot is not tied to the bucket, then it is prohibited to use it, lest the person sever the shoot and attach it to the bucket (Rambam *Sefer Zemanim, Hilkhot Shabbat* 23:7).

A temporary tent – אֹהֶל עֵרָאִי – It is prohibited to build a tent on Shabbat or on a Festival, even if it is temporary. The definition of a temporary tent in this context is a structure with a roof. Constructing permanent, significant partitions, e.g., the walls of a *sukka*, is also prohibited. However, it is permitted to build temporary or insignificant partitions, e.g., a partition established for privacy (Rambam *Sefer Zemanim, Hilkhot Shabbat* 22:27; *Shulhan Arukh, Oraḥ Hayyim* 315:1).

Adding to a temporary tent – הוֹסֵפֶה לְאֹהֶל עֵרָאִי – It is permitted to add to a temporary tent. For example, one who partially spread at least one handbreadth of a tent-like covering before Shabbat is permitted to extend it (Rambam *Sefer Zemanim, Hilkhot Shabbat* 22:27; *Shulhan Arukh, Oraḥ Hayyim* 315:2).

“זְמוּרָה שֶׁהִיא קְשׁוּרָה כו.” קְשׁוּרָה – אֵין, לֹא קְשׁוּרָה – לֹא, לִימָא מִתְּנִיתִין דְּלֹא כְּרַבְּנִי שְׁמַעוֹן בֶּן גַּמְלִיאֵל,

דְּתַנָּא: תְּרִיּוֹת שֶׁל דֶּקֶל שֶׁגִּדְּרוּ לְעֵצִים וְנִמְלֵךְ עֲלֵיהֶן לִישׁוּבָה – צְרִיךְ לְקַשׁוֹר, רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אָמַר: אֵין צְרִיךְ לְקַשׁוֹר.

אָמַר רַב שֶׁשֶׁת: אֶפְיֻלוֹ תִּימָא רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל, הָכָא בְּמַאי עֲסָקִין – בְּמַחוּבֶּרֶת בְּאַבְיָה. אֵי הָכִי קָא מְשַׁתְּמֵשׁ בְּמַחוּבֶּר לְקַרְקַע! לְמַטָּה מִשְׁלוּשָׁה. רַב אֲשִׁי אָמַר: אֶפְיֻלוֹ תִּימָא בְּתִלוּשָׁה, גְּזִירָה שְׁמָא יִקְטוּם.

“פֶּקֶק הַחֲלוֹן כו.” אָמַר רַבִּי יוֹחָנָן: הֲכַל מוֹדִים שְׂאִין עוֹשִׂין אֹהֶל עֵרָאִי בְּתַחֲלָה בְּיוֹם טוֹב, וְאֵין צְרִיךְ לוֹמַר בְּשַׁבָּת. לֹא נִחְלָקוּ אֶלָּא לְהוֹסִיף, שְׂרָבִי אֶלִיעֶזֶר אָמַר: אֵין מוֹסִיפִין בְּיוֹם טוֹב, וְאֵין צְרִיךְ לוֹמַר בְּשַׁבָּת. וְחֻכְמִים אֹמְרִים: מוֹסִיפִין בְּשַׁבָּת, וְאֵין צְרִיךְ לוֹמַר בְּיוֹם טוֹב. “וְחֻכְמִים אֹמְרִים בֵּין כֶּךָ וּבֵין כֶּךָ פּוֹקֵקִין בּוֹ.”

מַאי “בֵּין כֶּךָ וּבֵין כֶּךָ”? אָמַר רַבִּי אֲבָא אָמַר רַב כְּהֵנָּא:

We learned in the mishna: With regard to a vine branch that is tied to a pitcher, one may fill water with it on Shabbat. The Gemara infers: If it is tied, yes, it is permitted; if it is not tied, no, it is prohibited. Let us say that the mishna is in accordance with the opinion of Rabban Shimon ben Gamliel.

As it was taught in a *baraita*: With regard to hard branches of a palm treeⁿ that one cut for firewood or for construction, and then he reconsidered their designation and decided to use them for sitting, he must tie the branches together on Shabbat eve so that they will not be set-aside. Rabban Shimon ben Gamliel says: He need not tie them together, and nevertheless, it is permitted to move them. According to Rabban Shimon ben Gamliel, cut wood need not be specially prepared to be used on Shabbat.

Rav Sheshet says: Even if you say that the mishna is in accordance with the opinion of Rabban Shimon ben Gamliel, with what are we dealing here? With a case where the shoot is still connected to its origin, the vine.^{nh} The Gemara asks: If so, he is making use of an item that is attached to the ground, and the Sages issued a decree prohibiting the use of any plant attached to the ground. The Gemara answers: This is referring to a branch attached to the vine below three handbreadths off the ground. A vine attached to the ground below three handbreadths off the ground was not prohibited in that decree, just as it is permitted to make use of tree roots adjacent to the ground. Rav Ashi said: Even if you say that it is referring to a branch that is detached, nevertheless, its use is prohibited due to the decree lest one cut and straighten the branch to prepare it for use with the bucket. Therefore, Rabban Shimon ben Gamliel teaches that there is no need for concern.

We learned in the mishna that Rabbi Eliezer and the Rabbis dispute the case of a window shutterⁿ and in what manner one is permitted to shutter a window on Shabbat. Rabba bar bar Hana said that Rabbi Yohanan said: Everyone agrees that one may not construct a temporary tent^h on a Festival for the first time, and needless to say, one may not do so on Shabbat. The *tanna'im* disagree only with regard to adding to an existing tent,^h as Rabbi Eliezer says: One may not add to an existing structure on a Festival, and needless to say, one may not do so on Shabbat. And the Rabbis say: One may add to a temporary structure on Shabbat, and needless to say, one may do so on a Festival.

We learned in the mishna that the Rabbis say: Both in this case and in that case one may shutter with it. The Gemara asks: What is the meaning of: Both in this case and in that case, in this context? Rabbi Abba said that Rav Kahana said:

בֵּין קְשׁוּר בֵּין שְׂאִינוֹ קְשׁוּר, וְהוּא שְׁמַתוּקָן.

Both if it is tied^h and if it is not tied it is permitted, and that is only if it is prepared for this purpose beforehand.

HALAKHA

Tied – קְשׁוּר – It is permitted to move a bolt attached to a door and utilize it to lock any other door, in accordance with the opinion of Rabbi Yehuda (Rambam *Sefer Zemanim, Hilkhot Shabbat* 26:10; *Shulhan Arukh, Oraḥ Hayyim* 313:1).

Perek XVII

Daf 126 Amud a

A bolt and a shutter – **יָגֵר וְקֶקֶק**: There are a variety of approaches among the commentaries, both in terms of interpreting the Gemara and in terms of drawing the halakhic conclusion. The simple understanding is that the problem in the cases of the bolt and the shutter is the same, i.e., concern about the prohibited labor of building on Shabbat (Rashi). Others explain that the cases are similar only superficially (*Tosafot* and others). In fact, in the case of the bolt, there is an element of prohibition due to the fact that it is set-aside, because if the bolt is not attached to the door it does not have the status of a vessel and may not be moved. The window shutter is prohibited due to the prohibition against constructing a tent. In the Jerusalem Talmud, Rabbi Yohanan did not rule in accordance with the opinion of Rabban Shimon ben Gamliel with regard to the bolt. He ruled in accordance with the opinion of Rabbi Yehuda. There is an anecdote cited in the Jerusalem Talmud that in the house of Rabbi Yehuda HaNasi, they would lock the door with a bolt that was tied to the door even if it was not hanging. This ruling is in accordance with the opinion of Rabbi Yehuda.

In the Temple...in the rest of the country – **בְּמִדְיָנָה...בְּמִדְיָנָה**: Rabbinic decrees prohibiting labor on Shabbat were not in effect in the Temple, because the priests are vigilant in their performance of mitzvot and there is no concern that they will come to violate a Torah prohibition. Therefore, there is no need to institute preventative measures. The same is true in other areas of *halakha*. For example, with regard to ritual impurity, decrees issued by the Sages were not in effect in the Temple.

Prepared – **מְתֻקָּן**: Some commentaries explain that according to the Gemara, a prepared bolt means there that the reed underwent a physical change that transformed it into a vessel that may be moved even if it is not attached to the door (*Me'iri*).

HALAKHA

The *halakhot* of a bolt – **יָדֵי יָגֵר**: If it is evident that a bolt was fashioned for the express purpose of locking a door, e.g., if it has a thick end, it need not be attached to the door or to the doorframe to permit it to be moved, in accordance with the opinion of Rabban Shimon ben Gamliel and the ruling of Rabbi Yohanan (see *Hagahot Maimoniyot*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:10).

אָמַר לֵיהּ רַבִּי יִרְמְיָהּ: וְלִימָא מִרְּבִין תְּלִי וְבִין שְׂאִינוּ תְּלִי וְהוּא שְׂקִשׁוּר – דְּאָמַר רַבָּה בְּרַחְמֵהּ אָמַר רַבִּי יוֹחָנָן: כְּמַחְלֻקָּתָא כָּאֵן כְּךָ מַחְלֻקָּתָא בְּנֵגְדֵי הַגֶּזֶר. דְּתַנֵּן: נֶגֶד הַגֶּזֶר – נוֹעֵלִין בּוֹ בְּמִקְדָּשׁ אֲבָל לֹא בְּמִדְיָנָה, וְהַמוֹנֶת – כָּאֵן וְכָאֵן אֲסוּר. רַבִּי יְהוּדָה אָמַר: הַמוֹנֶת – בְּמִקְדָּשׁ, וְהַגֶּזֶר – בְּמִדְיָנָה.

Rabbi Yirmeya said to Rabbi Abba: And let the Master say it in this way: Both if it is hanging and if it is not hanging, and that is only if it is tied, as Rabba bar Hana said that Rabbi Yohanan said: Like the dispute here with regard to the window shutter, so too is the dispute with regard to a boltⁿ that was dragged, which refers to a pole that was stuck through a hole in the door and into the ground in order to hold the door in place. As we learned in a mishna: With regard to a bolt that is dragged, which is not a part of the door itself but is attached to it and is dragged on the ground, one locks with it in the Temple on Shabbat, because the rabbinic decrees are not in effect in the Temple, but not in the rest of the country outside the Temple. And a bolt that is placed alongside the door and not attached, here, in the Temple, and there, outside the Temple, it is prohibited to lock with it on Shabbat. Rabbi Yehuda says: One that was placed is permitted in the Temple and one that is dragged is permitted even in the rest of the country.ⁿ

And it was taught in a *baraita*: What is a bolt that is dragged that one locks with it in the Temple but not in the rest of the country? Any bolt that is tied and hangs from the door and one of its edges reaches the ground. Rabbi Yehuda says: That is permitted even in the rest of the country. Rather, what is prohibited in the rest of the country? Any bolt that is neither tied nor hung, and one removes it from the door and places it in a corner.

And Rabbi Yehoshua bar Abba said in the name of Ulla: Who is the *tanna* who taught the *halakha* of a bolt that is dragged? The *tanna* is Rabbi Eliezer, whose opinion in this case is identical to his opinion in the mishna with regard to the window shutter. It is certainly referring to a shutter that is attached. If it is not attached, Rabbi Eliezer holds that it is prohibited for use even in the Temple.

Rabbi Abba said to Rabbi Yirmeya: It is I who say that this case is in accordance with the opinion of this *tanna*, as it was taught in the *Tosefta*: With regard to a reed that the homeowner installed to open and lock the door with it like a bolt, when it is tied and hanging in the entrance, one may open and lock the door with it on Shabbat, and when it is not tied and hanging, one may not open and lock the door with it. Rabban Shimon ben Gamliel says: If it was preparedⁿ for that use, it is permitted to use it even if it is not tied. There is an opinion that holds that a bolt need not be attached, and preparation is sufficient to permit its use.^h

Rav Yehuda bar Sheila said that Rav Asi said that Rabbi Yohanan said: The *halakha* in this case is in accordance with the opinion of Rabban Shimon ben Gamliel.

The Gemara asks: Did Rabbi Yohanan really say this? Didn't we learn in the mishna: All covers of vessels

וְתַנְיָא: אִיזְהוּ נֶגֶד הַגֶּזֶר שְׂנוּעֵלִין בּוֹ בְּמִקְדָּשׁ אֲבָל לֹא בְּמִדְיָנָה – כֹּל שְׂקִשׁוּר וְתִלְוִי וְרֹאשׁוֹ מְגִיעַ לְאַרְץ. רַבִּי יְהוּדָה אָמַר: זֶה – אִף בְּמִדְיָנָה מוֹתֵר, אֲלֵא אִיזְהוּ שְׂבִמְדִּינָה אֲסוּר – כֹּל שְׂאִינוּ לֹא קִשּׁוּר וְלֹא תְּלִי, וְשׁוּמְטוֹ וּמְנִיחוֹ בְּקֶרֶן זוֹיֵר.

וְאָמַר רַבִּי יְהוֹשֻעַ בְּרַחְמֵהּ אֲבָא מִשְׁמִינָה דְּעוּלָא: מֵאֵן תִּנְיָא נֶגֶד הַגֶּזֶר – רַבִּי אֱלִיעֶזֶר הִיא!

אָמַר לֵיהּ: אֲנָא דְּאָמְרִי – כִּי הָאֵי תַנָּא, דְּתַנְיָא: קִנְיָה שְׂהִתְקִינוּ בְּעַל הַבַּיִת לְהַיִּיתָּ פוֹתֵחַ וְנוֹעֵל בּוֹ, בְּזִמְנָא שְׂקִשׁוּר וְתִלְוִי בְּפִתְחָא – פוֹתֵחַ וְנוֹעֵל בּוֹ, אֵין קִשּׁוּר וְתִלְוִי – אֵין פוֹתֵחַ וְנוֹעֵל בּוֹ. רַבִּין שְׂמַעוֹן בֶּן גַּמְלִיאֵל אָמַר: מְתֻקָּן, אִף עַל פִּי שְׂאִינוּ קִשּׁוּר.

אָמַר רַב יְהוּדָה בְּרַחְמֵהּ אֲמַר רַב אֲסִי אָמַר רַבִּי יוֹחָנָן: הִלְכָּה בְּרַבִּין שְׂמַעוֹן בֶּן גַּמְלִיאֵל.

וְכֵן אָמַר רַבִּי יוֹחָנָן הֲכִי? וְהִתְנַן: כֹּל כְּסוּיֵי הַכֵּלִים

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שֵׁישׁ לָהֶם בֵּית אַחִיזָה – וְנִשְׁלִין בְּשַׁבָּת. וְאָמַר רַב יְהוּדָה בְּרַחְמֵהּ אֲמַר רַב אֲסִי אָמַר רַבִּי יוֹחָנָן: וְהוּא שֵׁישׁ תּוֹרֵת כְּלֵי עֲלִיקָה!

that have a handle may be moved on Shabbat. And Rav Yehuda bar Sheila said that Rav Asi said that Rabbi Yohanan said: And that is specifically when the status of a vessel applies to them, i.e., when the cover itself is suited for use as a vessel. This is contrary to the opinion of Rabban Shimon ben Gamliel, who holds that preparation alone is sufficient.

Rabbi Yohanan holds in accordance with the opinion of Rabban Shimon ben Gamliel in one matter and disagrees with him in one matter – רבי יוחנן סבירא ליה – כותיה בחדא ופליג עליה בחדא: Even though it is inappropriate for an *amora* to disagree with a *tanna*, he may adopt a compromise between two conflicting tannaitic opinions. Therefore, an *amora* can partially accept the opinion of one of the *tanna'im* (see *Yad Malakhī*).

An action is greater – מעשה רב: Since there is a contradiction between two unattributed *mishnayot*, the action is significant in determining the *halakha*. However, the Gemara employs the actions of the Sages in determining the *halakha* in other cases as well.

In the Jerusalem Talmud, this is phrased: There is an individual opinion in accordance with the unattributed mishna there, and there is an individual opinion in accordance with the unattributed mishna here.

HALAKHA

Moving the covers of vessels – טלטול כסויי הכלים: It is prohibited to move the cover of a pit on Shabbat, unless it has a handle, which renders it a vessel. It is permitted to move a vessel cover, even if the vessel is attached to the ground, and even if it does not have a handle. This latter ruling applies if one designated the covers for this purpose before Shabbat or if one performed an action indicating that that is their designation, in accordance with the opinion of Rabbi Yosei, which is usually the basis for the *halakha*, and which in this case is Rabbi Yohanan's second version of the dispute (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:13; *Shulḥan Arukh*, *Orah Hayyim* 308:10).

וכי תימא: הכא נמי דאיכא תורת כלי עליו. ומי בעי רבן שמעון בן גמליאל תורת כלי עליו? והתנא: חריות של דקל שגדרן לשם עצים ונמלך עליהן לשיבה – צריך לקשר, רבן שמעון בן גמליאל אומר: אין צריך לקשר.

רבי יוחנן סבירא ליה כותיה בחדא, ופליג עליה בחדא.

דרש רבי יצחק נפחא אפתחא דריש גלותא: הלכה כרבי אליעזר. מתיב רב עמרם: "ומדבריהם למדנו שפוקקין ומודדין וקושרין בשבת!"

אמר ליה [אביי]: מאי דעתך – משום דקתני סתמא – "נגר הנגר" נמי סתמא היא! ואפילו הכי – מעשה רב.

מתני' (כל) ביסוי הכלים שיש להם בית אחיזה – נטלין בשבת. אמר רבי יוסי: במה דברים אמורים – בכיסוי קרקעות, אבל בכיסוי הכלים – בין כך ובין כך נטלין בשבת.

גמ' אמר רב יהודה בר שילא אמר רבי אסי אמר רבי יוחנן: והוא שיש תורת כלי עליהן. דכולי עלמא. כסוי קרקעות אם יש להן בית אחיזה – אין, אי לא – לא. כסוי הכלים, אף על גב דאין להם בית אחיזה.

כי פליגי – בכלים דחבריהו בארעא, מר סבר: גזרינן, ומר סבר: לא גזרינן.

לישנא אחרינא: כי פליגי – בכיסוי תנור, מר מדמי ליה לכיסוי קרקע, ומר מדמי ליה לכיסוי כלים.

הדרן עלך כל הכלים

And if you say: Here, too, Rabban Shimon ben Gamliel is referring to a case where the status of a vessel applies to the reed, does Rabban Shimon ben Gamliel require that the status of a vessel apply to it? Wasn't it taught in a *baraita*: With regard to hard branches of a palm tree that one cut for firewood or for construction and then he reconsidered their designation and decided to use them for sitting, he must tie the branches together on Shabbat eve so that they will not be set-aside. Rabban Shimon ben Gamliel says: He need not tie them together, and nevertheless, it is permitted to move them. Rabban Shimon ben Gamliel does not require that one render it a vessel. Thought is sufficient.

The Gemara answers: Rabbi Yohanan holds in accordance with the opinion of Rabban Shimon ben Gamliel in one matter and disagrees with him in one matter.^N

Rabbi Yitzḥak taught at the entrance of the house of the Exilarch: The *halakha* is in accordance with the opinion of Rabbi Eliezer in the matter of a window shutter. Rav Amram raised an objection from that we learned explicitly in a mishna: And from their statements and their actions, we derived that one may seal a window, and measure, and tie a knot on Shabbat. Apparently, one may shutter the window under any circumstances, not only when the shutter was prepared for use, as Rabbi Eliezer said.

Abaye said to Rav Amram: What is your opinion, that the proof is decisive because it was taught in the mishna unattributed and the *halakha* is in accordance with an unattributed mishna? The mishna with regard to a bolt that is dragged is also an unattributed mishna. The *halakha* should be in accordance with that mishna as well. The Gemara concludes: And even so, an action is greater.^N Even though the two *mishnayot* are of equal weight, since one of them not only cites an unattributed opinion but also relates an incident where the Sages shuttered a window, that source is decisive.

MISHNA All covers of vessels that have a handle may be moved^H on Shabbat. Rabbi Yosei said: In what case is this statement said? In the case of a cover for the ground, i.e., the cover of a pit; however, with regard to covers of vessels, both in this case and in that case, even if they do not have handles, they may be moved on Shabbat.

GEMARA Rav Yehuda bar Sheila said that Rabbi Asi said that Rabbi Yohanan said: And this is applies specifically when the status of a vessel applies to them and they are suited for some use. The Gemara adds: Everyone holds that with regard to a cover for the ground, if it has a handle, yes, it is permitted to move it, and if not, no, it is prohibited to move it; with regard to a cover of a vessel, even if it does not have a handle, it is permitted to move it.

When they disagree in the mishna, it is with regard to vessels that one attached to the ground. This Sage, the first *tanna*, holds that we issue a decree according to which it is prohibited to move the cover of a vessel attached to the ground due to the concern that one will move a cover for the ground itself, and that Sage, Rabbi Yosei, holds that we do not issue a decree.

Another version of this statement: When they disagree in the mishna, it is with regard to the cover of an oven; this Sage likens it to a cover for the ground, and this Sage likens it to a cover of a vessel.

Summary of Perek XVII

The *halakhot* of items that are set aside from use on Shabbat, as explained in this chapter, are unique in that earlier generations at the beginning of the Second Temple era were especially stringent with regard to these laws and forbade handling practically all utensils. Over the course of time, as the Sages saw that the nation as a whole was more meticulous in observing Shabbat, they became progressively more lenient with regard to this prohibition.

In the final halakhic conclusions in these matters, the lenient opinions of Rabbi Shimon and Rabbi Yosei were accepted. In their view, items that are set-aside [*muktze*] because of monetary loss are entirely forbidden from being handled, while utensils whose function is prohibited on Shabbat may be handled in order to use them for a permitted purpose or if one needs the place on which they are located. Items that are repulsive are not prohibited to be handled.

Nonetheless, there are still several aspects of this area of *halakha* for which no leniencies apply. According to all opinions, anything that does not have the status of a utensil, such as raw materials and money, is set-aside. Additionally, according to most opinions, any item that was set aside at the beginning of Shabbat remains set-aside for the duration of Shabbat. It should also be emphasized that the decision to be lenient with the laws pertaining to items that are set-aside applies specifically to Shabbat. On Festivals, the *halakha* follows the stringent view with regard to this prohibition. This is based upon the assumption that the sanctity of Shabbat had been internalized by the nation to the point that it did not need further strengthening and safeguarding. Concerning the Festivals, however, since certain prohibited labors are permitted for the sake of food preparation, it was necessary to impose additional decrees and safeguards in order to ensure that the sanctity of the Festivals would not be disregarded.

Introduction to Perek XVIII

This chapter addresses three different *halakhot* that are only slightly related to one another. One topic continues the discussion of some of the laws of items that have been set aside from Shabbat use; see Chapter Seventeen for the major principles. The second topic addresses caring for and handling animals on Shabbat. The third topic examines the situation of a woman who has given birth on Shabbat, and caring for her in ways that could constitute prohibited labors. These *halakhot* do not seem to be related, but they are all included in the category of *shevut*, prohibitions that are not from the Torah like the categories of prohibited labor, but which were instituted by the Sages on Shabbat and the Festivals in order to prevent the violation of Torah prohibitions or to enhance the sanctity of the day.

There are *shevut* decrees that apply to many different areas, and this chapter addresses only some of them. However, we can derive from these examples the scope of *shevut* restrictions in many areas, remembering that each one is based upon rabbinic decree.

The *halakhot* discussed in this chapter are further related. Since the Sages themselves instituted these prohibitions as protective measures to prevent violation of Torah law, they could also be lenient in certain cases. This is possible only with regard to rabbinic decrees, but not with regard to prohibitions that stem from Torah law; as the Sages expressed it: They said [it is prohibited] and they said [it is permitted in particular circumstances]. For example, in cases of significant need, such as for the honor of guests or to facilitate Torah study, the Sages permitted several actions that would otherwise have been prohibited due to *muktze*. Such leniencies also exist with regard to other *shevut* restrictions, such as caring for animals on Shabbat. Although there are restrictions due to several relevant rabbinic decrees and concerns, since these are not Torah prohibitions, the Sages were lenient when necessary in order to prevent significant monetary loss or to prevent animals from experiencing pain.

After addressing the permitted methods of caring for birthing animals on Shabbat, the chapter discusses how to care for a woman who gives birth on Shabbat. Here the Gemara even addresses activities that are prohibited by Torah law as well as those prohibited by rabbinic decree, as both are permitted in order to save a life. The *halakha* is very lenient in such cases, to the point that it is permissible to perform any prohibited labor in the event of even a small concern for danger to human life.

מתני' מפני אפילו ארבע וחמש קופות של תבן ושל תבואה מפני האורחים, ומפני בטול בית המדרש, אבל לא את האוצר.

מפני תרומה טהורה, ודמאי, ומעשר ראשון שניטלה תרומתו, ומעשר שני והקדש שנפדו, והתורמוס היבש – מפני שהוא מאכל לעוים.

אבל לא את הטבול, ולא את מעשר [ראשון] שלא נטלה תרומתו, ולא את מעשר שני והקדש שלא נפדו, ולא את הלוי, ולא את החרדל. רבי שמעון בן גמליאל מתייר בלוי מפני שהוא מאכל עורבין.

חבילי קש וחבילי עצים וחבילי זרדים, אם התקינו למאכל בהמה – מטלטלין אותן, ואם לאו – אין מטלטלין אותן.

גמ' השתא חמש מפני, ארבע מביעיא?

אמר רב חסדא: ארבע מחמש. (איכא דאמרי: ארבע מאוצר קטן וחמש מאוצר גדול.)

ומאי "אבל לא את האוצר" – שלא יתחיל באוצר תחלה. ומני – רבי יהודה היא, דאית ליה מוקצה.

ושמואל אמר: ארבע וחמש.

כדאמרי אינשי, ואי בעי – אפילו טובא נמי מפני. ומאי "אבל לא את האוצר" – שלא יגמור בולו דילמא אתי לאשוויי גומות, אבל אתחילי מתחיל. ומני – רבי שמעון היא, דלית ליה מוקצה.

MISHNA On Shabbat, one may move even four or five baskets^H of straw and baskets of produce, due to the guests, who require that place to sit, and due to suspension of Torah study in the study hall, where space is required to seat the students. However, one may not move these items to create space in the storeroom.

One may move ritually pure *teruma*,^N although it may only be eaten by a priest; and doubtfully tithed produce [*demai*], which may not be eaten until tithes are separated from it due to concern that an *am ha'aretz* did not separate its tithes; and first tithe whose *teruma* of the tithe has already been taken and given to priests; and second tithe and consecrated items that were redeemed; and even dry lupine, which is not fit for consumption by a person, because it is goat food.

However, one may neither move untithed produce, nor first tithe whose *teruma* has not been taken, nor second tithe and consecrated items that were not redeemed, nor raw arum and raw mustard, as all of these items are not fit for consumption and are therefore set aside. Rabban Shimon ben Gamliel permits moving in the case of *arum*^B because it is food for ravens.^N

With regard to bundles of straw, and bundles of wood, and bundles of twigs, if one prepared them on Shabbat eve for animal food, one may move them. And if not, one may not move them.

GEMARA The Gemara asks: Now that the mishna stated that one may move five baskets, is mentioning four baskets necessary?

Rav Hisha said: The mishna means that one may move four out of five^N baskets, but not all of them. Some say: It is permitted to move four baskets from a small storeroom and five baskets from a large storeroom.

The Gemara asks: And what then is the meaning of: However, one may not move these items to create space in the storeroom? It means that one may not use the storeroom for the first time. If he has never taken supplies from this storeroom, he may not begin moving baskets from it. And whose opinion is cited in this mishna? It is the opinion of Rabbi Yehuda, who is of the opinion that this constitutes a prohibition of set-aside. The contents of a storeroom that was never used are set-aside.

And Shmuel says: The difficulty in the mishna should be explained as a figure of speech: Four and five,

as people who are not so precise in their formulation say: Four or five. And if one so desires, he may clear even more. And what then is the meaning of: However, one may not move these items to create space in the storeroom? It means that one may not finish moving the baskets out of the entire storeroom, lest he come to level the floor by filling the holes. However, one may begin removing baskets from the storeroom. And whose opinion is cited in this mishna? It is the opinion of Rabbi Shimon, who is not of the opinion that there is a prohibition of set-aside.

HALAKHA

מפני אפילו ארבע – **וחמש קופות**: Moving some of the contents of a storehouse to make room for guests is permitted. This is done in the following manner: If the storehouse is large, one moves five baskets, each with a capacity of three *se'a* (*Mordekhai*; *Ran*), to make room for guests. And if the warehouse is small and there are only five baskets in it, one may move only four out of the five. Although the ruling is fundamentally in accordance with the opinion of Rabbi Shimon, the number of baskets was restricted to prevent exertion, as per the opinion of Rav Hisha. Also, the simple understanding of the mishna and the Gemara is in accordance with Rav Hisha's opinion (Rabbeinu Hananel; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:2, 26:15; *Shulhan Arukh*, *Orah Hayyim* 333:1).

NOTES

One may move ritually pure *teruma* – **טהורה**: It is prohibited to move ritually impure *teruma* on Shabbat because it must be burned, and the only way one may benefit from it is through burning it. Since it is prohibited to kindle a fire on Shabbat, that *teruma* is set-aside (see Ramban).

Ravens – **עורבין**: Ravens are raised for beauty and sport (Rashi). Although this is a pastime limited to the wealthy people, Rabban Shimon ben Gamliel maintains that all Jewish people are worthy of high status (see p. 158).

Four out of five – **ארבע מחמש**: The same applies to three out of four. The concept is that one may not move all of the baskets; he must leave some in place (*Korban Netanel*).

BACKGROUND

Arum – **לוי**: This plant is generally identified as the arum of Eretz Yisrael, *Arum palaestinum*, from the Araceae family. This plant has a bulb in the ground from which large leaves sprout. The arum inflorescence has a unique structure and is covered with a special type of leaf called a spathe. All parts of the plant contain calcium oxalate, Ca (COO)₂, which is poisonous and causes extreme itching to any skin that comes in contact with it. Consequently, arum is not eaten by people in its raw state, and few animals draw sustenance from it. The bulb and leaves are cooked or roasted to make them edible for people. The plant grows in the wild in all regions of Eretz Yisrael.



Arum plant

One may not use the storeroom for the first time – אין מתחילין באוצר תחילה – If a storehouse is filled with produce or jugs of wine, it is permitted to avail oneself of its contents on Shabbat. Nevertheless, it may only be emptied for the purpose of a mitzva, e.g., receiving guests or setting up a study hall. It is permitted to forge a path through the contents of the storehouse with one's feet while entering and exiting (Rambam *Sefer Zemanim, Hilkhot Shabbat* 26:15).

To minimize the walking distance – להמעיט – בהילוכא: When clearing baskets from a storehouse on Shabbat, one should not divide the contents of the larger baskets into smaller baskets, thereby increasing the number of trips and making one's exertion more conspicuous. The dilemma pertaining to this issue remained unresolved, and therefore the ruling is stringent (*Shulhan Arukh, Oray Hayyim* 333:2).

It is all according to the number of guests – הכל לפי האורחין: The allowance to move four or five baskets means that a basket may be moved for each guest. This ruling is in accordance with the conclusion of the Gemara (Rambam *Sefer Zemanim, Hilkhot Shabbat* 26:15; *Shulhan Arukh, Oray Hayyim* 333:3).

NOTES

Piled grain – תבואה צבורה: Some authorities explain that this *halakha* with regard to piled grain is only according to Rav Hisda, who holds that the *halakha* is in accordance with the opinion of Rabbi Yehuda. However, according to Shmuel, who holds that the *halakha* is in accordance with the opinion of Rabbi Shimon, there is no prohibition of set-aside, and piled grain is not prohibited (see *Me'ir*).

Several *ge'onim* cited this *halakha* as proof for Rav Hisda's opinion. The *ge'onim* added that the measurement mentioned in the Gemara corresponds to the measurement mentioned in the Jerusalem Talmud. The Jerusalem Talmud states that each basket may weigh three *se'a*, which means that five baskets equal fifteen *se'a*, which is half of a *kor*, or a *letekh*.

And Rabbi Yehuda HaNasi cleared the bundles from the whole field in its entirety – יְעִימָר רַבִּי כָּל הַשָּׂדֶה כּוֹלָה: It is important to note that Rabbi Yehuda HaNasi neither gathered the bundles nor ordered them to be gathered in one place, as that would involve performance of the prohibited labor of gathering. Rather, each bundle was moved to a separate place.

תנו רבנן: אין מתחילין באוצר תחילה, אבל עושה בו שביל כדי שיכנס ויציא. עושה בו שביל? והא אמרת "אין מתחילין"! הכי קאמר: עושה בו שביל בגליו בכניסתו וביציאתו.

תנו רבנן: תבואה צבורה, בזמן שהתחיל בה מערב שבת – מותר להסתפק ממנה בשבת, ואם לאו – אסור להסתפק ממנה בשבת, דברי רבי שמעון. רבי אחא מתייר, כלפי לויא? אלא אימא: דברי רבי אחא, ורבי שמעון מתייר.

תנא: כמה שיעור תבואה צבורה – לתך. בעא מיניה רב נחומי בר זכריה מאביי: שיעור תבואה צבורה בכמה? אמר ליה: הרי אמרו "שיעור תבואה צבורה – לתך".

איבעיא להו: הני ארבע וחמש קופות דקאמר, בארבע וחמש קופות – אין, טפי – לא. אלמא: למעוטי בהילוכא עדיו. או דילמא: למעוטי משוי עדיו?

תא שמע, דתני חדא: מפניו אפילו ארבע וחמש קופות של כדי שמן ושל כדי יין. ותניא אידך: בעשר ובחמש עשרה. מאי לאו בהא קמיפלגי – דמר סבר: מעוטי בהילוכא עדיו, ומר סבר: מעוטי במשוי עדיו?

לא. דכולי עלמא מעוטי בהילוכא עדיו. ומי סברת "בעשר ובחמש עשרה" אקופות קאיי? אפדין קאי. ולא קשיא, הא – דמשתקלי חד חד בקופה, והא – דמישקלי תרי תרי, והא – דמשתקלי תלתא תלתא, ובדקורי דהרפנאי.

איבעיא להו: הני ארבע וחמש דקאמר – אף על גב דאית ליה אורחין טובא, או דילמא, הכל לפי האורחין, ואם תמצא לומר: הכל לפי האורחין, חד גברא מפני לכולהו, או דילמא, גברא גברא מפני לנפשיה?

תא שמע: דאמר רבה אמר רבי חייא: פעם אחת הלך רבי למקום אחד וראה מקום דחוק לתלמידים, ויצא לשדה ומצא שדה מלאה עומרים ועימר רבי כל השדה כולה (שמע מינה: הכל לפי האורחין).

The Sages taught in a *baraita*: One may not use the storeroom for the first time.¹⁴ If one has never taken supplies from this storeroom, he may not begin moving baskets from it. However, he makes a path in it, so that he will be able to enter and exit. The Gemara asks: He makes a path in it? Did you not say: One may not use the storeroom for the first time? The Gemara answers that the *baraita* is saying as follows: He makes a path in it by moving baskets with his feet, as he enters the storehouse and as he exits. He may not move the basket with his hand.

The Sages taught in a *baraita*: With regard to piled grain,¹⁵ if one had started to take grain from the pile on Shabbat eve, it is permitted to satisfy his needs from it on Shabbat, and if not, it is prohibited to satisfy his needs from it on Shabbat; this is the statement of Rabbi Shimon. Rabbi Aha permits doing so in any case. The Gemara raises a difficulty: On the contrary; it is Rabbi Shimon who is lenient with regard to the *halakhot* of set-aside. Rather, emend the *baraita* and say: This is the statement of Rabbi Aha. Rabbi Shimon permits doing so in any case.

It was taught: How much is the measure of piled grain needed to confer the legal status of a storeroom? A half-kor. Rav Nahumi bar Zekharya raised a dilemma before Abaye: The measure of piled grain, how much is it? Abaye said to him that they said: The measure of piled grain is a half-kor.

A dilemma was raised before the Sages: These four or five baskets, which the *tanna* stated in the mishna, is he saying the following: Four or five baskets, yes, one may move them, more baskets, no, one may not move them? This would indicate that it is preferable to minimize the walking distance¹⁶ because fewer baskets results in less walking in and out of the storeroom. Or perhaps it is preferable to minimize the size of the burden by carrying smaller baskets, as long as the total measure of all that one carries does not exceed the capacity of five large baskets?

Come and hear a resolution to this dilemma, as one *baraita* taught: One may move even four or five baskets containing jugs of oil and jugs of wine. And it was taught in another *baraita*: One may move them even in ten and in fifteen baskets. What, is it not that the two *baraitot* disagree concerning the following matter, as this Sage in the first *baraita* holds that it is preferable to minimize the walking distance by moving fewer, heavier baskets, and this Sage in the second *baraita* holds that it is preferable to minimize the size of the burden by moving lighter baskets over the course of several trips.

The Gemara rejects this: No, everyone agrees that it is preferable to minimize the walking distance. And do you hold that: In ten and in fifteen, is referring to baskets? It is referring to jugs, and there is no dispute between the *baraitot*. And this is not difficult: This *baraita*, which spoke of moving five, is referring to a case in which the jugs are taken one by one in each basket. And that *baraita*, which speaks of moving ten, is referring to a case in which the jugs are taken two by two in each basket. And that *baraita*, which speaks of moving fifteen, is referring to a case in which the jugs are taken three by three, e.g., in the case of the small jugs of Harpanya.

A dilemma was raised before the Sages: These four or five baskets, which the *tanna* stated in the mishna, is he saying that one may move only four or five baskets even though he has many guests? Or perhaps, it is all according to the number of guests,¹⁷ and if there are more guests one may move more baskets. And if you say it is all according to the number of guests, does one man move the baskets to make room for all of them, or perhaps each and every man moves a basket to make room for himself?

Come and hear a resolution to this dilemma from that which Rabba said that Rav Hiyya said: Once Rabbi Yehuda HaNasi went to a certain place and saw that the place was too crowded for the students. And he went to the field and found a field full of bundles of grain, and Rabbi Yehuda HaNasi cleared the bundles from the whole field in its entirety.¹⁸ Conclude from it that the quantity that can be moved is all according to the number of guests.

ורב יוסף אמר רבי הושעיא: פעם אחת הלך רבי חייא למקום אחד וראה מקום דחוק לתלמידים, ויצא לשדה ומצא שדה מלאה עומרים ועימר רבי חייא כל השדה כולה. שמע מינה: הכל לפי הארחין.

ועדין תבעי לך: חד גברא מפני ליה לכולא, או דילמא כל גברא וגברא מפני לנפשיה?

תא שמע: "ועימר רבי". ולטעמך, רבי בדנפשיה עימר? אלא: צוה ועימר, ולעולם כל חד וחד מפני לנפשיה.

"מפני הארחין וכו'". אמר רבי יוחנן: גדולה הכנסת אורחין בהשכמת בית המדרש, דקתני: "מפני הארחין ומפני בטול בית המדרש". ורב דימי מנהרדעא אמר: יותר מהשכמת בית המדרש, דקתני: "מפני הארחין". והדר: "ומפני בטול בית המדרש". אמר רב יהודה אמר רב: גדולה הכנסת אורחין מהקבלת פני שכינה, דכתיב: "ויאמר (ה') אם נא מצאתי חן בעיניך אל נא תעבר וגו'". אמר רבי אלעזר: בא וראה, שלא במדת הקדוש ברוך הוא מדת בשר ודם; מדת בשר ודם – אין קטן יכול לומר לגדול "המתן עד שאבא אצלך", ואילו בהקדוש ברוך הוא כתיב: "ויאמר (ה') אם נא מצאתי חן".

אמר רב יהודה בר שילא אמר רבי אסי אמר רבי יוחנן: ששה דברים אדם אוכל פירותיהן בעולם הזה, והקטן קיימת לו לעולם הבא. ואלו הן: הכנסת אורחין, וביקור חולים, ועיון תפלה, והשכמת בית המדרש, והמגדל בנו לתלמוד תורה, והדן את חברו לכף זכות.

איני? והא אנו תנן: אלו דברים שאדם עושה אותם ואוכל פירותיהן בעולם הזה והקטן קיימת לו לעולם הבא. ואלו הן: כיבוד אב ואם וגמילות חסדים והבאת שלום שבין אדם לחברו ותלמוד תורה כנגד כולם [הג' – אין, מידי אחרניא – לא!]

And Rav Yosef said that Rav Hoshaya said: Once Rabbi Hiyya went to a certain place and saw that the place was too crowded for the students. And he went to the field and found a field full of bundles of grain, and Rabbi Hiyya cleared the bundles from the whole field in its entirety. Conclude from it that the quantity that can be moved is all according to the number of guests.

The Gemara continues: And still you have a dilemma. Does one man move the baskets to make room for all of them, or perhaps each and every man moves baskets to make room for himself?

Come and hear a resolution to this question. We learned: And Rabbi Yehuda HaNasi cleared the bundles. Apparently, one person moved the bundles to make room for the others. The Gemara rejects the proof: And according to your reasoning, your opinion, do you think Rabbi Yehuda HaNasi, the spiritual leader of his generation, cleared the bundles himself? Rather, he ordered others to do so, and he thereby cleared the bundles. And actually, each and every one moves a bundle to make room for himself.^h

We learned in the mishna: One may move baskets of produce due to the guests and in order to prevent the suspension of Torah study in the study hall. Rabbi Yohanan said: Hospitality toward guests is as great^h as rising early to go to the study hall,ⁿ as the mishna equates them and teaches: Due to the guests and due to suspension of Torah study in the study hall. And Rav Dimi from Neharde'a says: Hospitality toward guests is greater than rising early to the study hall, as it teaches: Due to the guests, and only afterward: And due to suspension of Torah study in the study hall. Rav Yehuda said that Rav said on a related note: Hospitality toward guests is greater than receiving the Divine Presence, as when Abraham invited his guests it is written: "And he said: Lord, if now I have found favor in Your sight, please pass not from Your servant" (Genesis 18:3). Abraham requested that God, the Divine Presence, wait for him while he tended to his guests appropriately.ⁿ Rabbi Elazar said: Come and see that the attribute of the Holy One, Blessed be He, is not like that of flesh and blood. The attribute of flesh and blood people is such that a less significant person is unable to say to a more significant person: Wait until I come to you, while with regard to the Holy One, Blessed be He, it is written: "And he said: Lord, if now I have found favor in Your sight, please pass not from Your servant." Abraham requested that God wait for him due to his guests.

Rav Yehuda bar Sheila said that Rabbi Asi said that Rabbi Yohanan said: There are six matters a person enjoys the profits of in this world,ⁿ and nevertheless the principal exists for him for the World-to-Come, and they are: Hospitality toward guests, and visiting the sick, and consideration during prayer, and rising early to the study hall, and one who raises his sons to engage in Torah study, and one who judges another favorably,^h giving him the benefit of the doubt.

The Gemara asks: Is that so? And did we not learn in a mishna: These are the matters that a person does them and enjoys their profits in this world, and nevertheless the principal exists for him for the World-to-Come, and they are: Honoring one's father and mother, and acts of loving kindness, and bringing peace between a person and another, and Torah study is equal to all of them.^h By inference: These matters, yes, one enjoys their profits in this world and the principal exists for him in the World-to-Come; other matters, no.

Each and every one moves a bundle to make room for himself – כל חד וחד מפני לנפשיה: It is prohibited to clear numerous objects for many guests because of the extra exertions. Therefore, each guest should clear for himself or one other person. Since the question with regard to this issue was not resolved in the Gemara, the authorities ruled stringently (Rambam *Sefer Zemanim, Hilkhot Shabbat* 26:15; *Shulhan Arukh, Oraḥ Hayyim* 333:3).

Hospitality toward guests is as great – גדולה הכנסת אורחין: The mitzva to display hospitality toward guests is greater than that of receiving the Divine Presence (Rambam *Sefer Shofetim, Hilkhot Evel* 14:2).

One who judges another favorably – הדן – את חברו לכף זכות: Even after a judge renders a decision and it is accepted by all the parties involved, the judge must make a concerted effort to judge the guilty party favorably. One must judge favorably especially in cases where there is no ruling (Rambam *Sefer Shofetim, Hilkhot Sanhedrin* 23:10 and *Sefer HaMadda, Hilkhot Deot* 5:7; *Shulhan Arukh, Hoshen Mishpat* 17:10).

And Torah study is equal to all of them – ותלמוד תורה כנגד כולם: The mitzva to study Torah is greater than all other mitzvot. If there is a mitzva that can be performed by others, one should not be derelict in his Torah study to fulfill that mitzva (Rambam *Sefer HaMadda, Hilkhot Talmud Torah* 3:3; *Shulhan Arukh, Yoreh De'a* 246:18).

NOTES

Rising early to the study hall – השכמת בית המדרש: Rising early to the study hall is not referring exclusively to students. Those who bring others to the study hall are equally praiseworthy (Rav Ya'akov Emden).

Abraham and the angels – אברהם והמלאכים: The verse states: "And he said: Adonai, if now I have found favor in Your sight, please pass not from Your servant" (Genesis 18:3). The commentaries dispute the interpretation of the term: Adonai. Most interpret it as a sacred reference to God. Abraham asks God to wait for him until he finishes hosting his guests.

Other commentaries explain it as a non-sacred plural form of the word master [adon]. Abraham addressed his guests using this honorific.

The profits of in this world – פירותיהן בעולם הזה: The Rambam explains: Reward for observing mitzvot between man and God is received in the World to Come. However, some of the reward for fulfilling mitzvot between man and man is received in this world because their fulfillment is enjoyed by others. Some of the reward for Torah study is also received in this world because Torah study facilitates fulfillment of all the mitzvot (Rambam's Commentary on the Mishna).

NOTES

And there was an incident involving a certain person who...was hired to work for a certain homeowner – *ומעשה באדם אחד...ונשכר אצל בעל הבית*. In the *She'iltot*, Rav Aḥai Gaon cited this incident and identified the homeowner as Rabbi Eliezer ben Hyrcanus and the worker that he hired as Rabbi Akiva.

They dissolved all my vows – *התירו לי כל נדרי*. Some explained that the Sages dissolved the homeowner's vows because they assumed that he only vowed to threaten his son. Otherwise, they would not have dissolved a vow of consecration.

LANGUAGE

Merchandise [*perakmatya*] – *פרקמטיא*: From the Greek *πραγματεία*, *pragmateia*, meaning business or merchandise.

הני נמי (בגמילות חסדים שייכי. לישנא אחרינא: הני) בהני שייכי.

תנו רבנן: הדין חבירו לכה זכות דנין אותו לזכות. ומעשה באדם אחד שירד מגליל העליון ונשכר אצל בעל הבית אחד בדרום שלוש שנים. ערב יום הכפורים אמר לו: תן לי שכרי, ואלך ואזון את אשתי ובני. אמר לו: אין לי מעות. אמר לו: תן לי פירות. אמר לו: אין לי. תן לי קרקע. אין לי. תן לי בהמה. אין לי. תן לי כרים וכסתות. אין לי. הפשיל כליו לאחוריו, והלך לביתו בפחי נפש.

לאחר הרגל נטל בעל הבית שכרו בידו, ועמו משוי שלשה חמורים, אחד של מאכל ואחד של משקה ואחד של מיני מגדים, והלך לו לביתו. אחר שאכלו ושתו נתן לו שכרו.

אמר לו: בשעה שאמרתי לי "תן לי שכרי" ואמרתי "אין לי מעות" במה חשדתני? אמרתי: שמא פרקמטיא בזול נודמנה לך, ולקחת בהן. ובשעה שאמרתי לי "תן לי בהמה" ואמרתי "אין לי בהמה" במה חשדתני? אמרתי: שמא מושכרת ביד אחרים. בשעה שאמרתי לי "תן לי קרקע" ואמרתי לך "אין לי קרקע" במה חשדתני? אמרתי: שמא מושכרת ביד אחרים היא. ובשעה שאמרתי לך "אין לי פירות" במה חשדתני? אמרתי "שמא אינן מעושרות". ובשעה שאמרתי לך "אין לי כרים וכסתות" במה חשדתני? אמרתי: שמא הקדיש כל נכסיו לשמים.

אמר ליה: העבודה, כך היה! הדתני כל נכסי בשביל הורקנוס בני שלא עסק בתורה, וכשבאתי אצל חבירי בדרום התירו לי כל נדרי. ואתה, כשם שדנתני לזכות – המקום ידין אותך לזכות.

The Gemara answers: **These too**, hospitality toward guests and visiting the sick, are in the category of acts of loving-kindness. A different version of that answer: **These matters** on the longer list are attributable to those, the matters on the shorter list.

The Sages taught in a *baraita*: One who judges another favorably is himself judged favorably. And there was an incident involving a certain person who descended from the Upper Galilee and was hired to work for a certain homeowner^N in the South for three years. On the eve of the Day of Atonement, he said to the homeowner: Give me my wages, and I will go and feed my wife and children. The homeowner said to him: I have no money. He said to him: In that case, give me my wages in the form of produce. He said to him: I have none. The worker said to him: Give me my wages in the form of land. The homeowner said to him: I have none. The worker said to him: Give me my wages in the form of animals. He said to him: I have none. The worker said to him: Give me cushions and blankets. He said to him: I have none. The worker slung his tools over his shoulder behind him and went to his home in anguish.

After the festival of *Sukkot*, the homeowner took the worker's wages in his hand, along with a burden that required three donkeys, one laden with food, one laden with drink, and one laden with types of sweets, and went to the worker's home. After they ate and drank, the homeowner gave him his wages.

The homeowner said to him: When you said to me: Give me my wages, and I said: I have no money, of what did you suspect me? Why did you not suspect me of trying to avoid paying you? The worker answered, I said: Perhaps the opportunity to purchase merchandise [*perakmatya*]¹ inexpensively presented itself, and you purchased it with the money that you owed me, and therefore you had no money available. The homeowner asked: And when you said to me: Give me animals, and I said: I have no animals, of what did you suspect me? The worker answered: I said: Perhaps the animals are hired to others. The homeowner asked: When you said to me: Give me land, and I said: I have no land, of what did you suspect me? The worker answered: I said: Perhaps the land is leased to others, and you cannot take the land from the lessees. The homeowner asked: And when you said to me: Give me produce, and I said: I have no produce, of what did you suspect me? The worker answered: I said: Perhaps they are not tithed, and that was why you could not give them to me. The homeowner asked: And when I said: I have no cushions or blankets, of what did you suspect me? The worker answered: I said: Perhaps he consecrated all his property to Heaven and therefore has nothing available at present.

The homeowner said to him: I swear by the Temple service that it was so. I had no money available at the time because I vowed and consecrated all my property on account of Hyrcanus, my son, who did not engage in Torah study. The homeowner sought to avoid leaving an inheritance for his son. And when I came to my fellow residents in the South, the Sages of that generation, they dissolved all my vows.^N At that point, the homeowner had immediately gone to pay his worker. Now the homeowner said: And you, just as you judged favorably, so may God judge you favorably.

תנו רבנן: מעשה בחסיד אחד שפדה ריבה אחת
בת ישראל, ולמלון השכיבה תחת מרגלותיו,
למחר ירד וטבל ושנה לתלמידיו.

ואמר (להן): בשעה שהשכבתיה תחת מרגלותי
במה חשדתוני? אמרו: שמא יש בנו תלמיד
שאינו בדוק לרבי.

בשעה שירדתי וטבלתי במה חשדתוני? אמרו:
שמא מפני טורח הדרך אירע קרי לרבי. אמר
להם: העבודה, כך היה. ואתם, כשם שדנתוני
לכף זכות – המקום ידין אתכם לכף זכות.

תנו רבנן: פעם אחת הוצרך דבר אחד לתלמידי
חכמים אצל מטרוניתא אחת, שכל גדולי רומי
מצויין אצלה. אמרו: מי ילך? אמר להם רבי
יהושע: אני אלך.

הלך רבי יהושע ותלמידיו, כיון שהגיע לפתח
ביתה חלץ תפיליו ברחוק ארבע אמות, ונכנס
ונעל הדלת בפניה. אחר שיצא ירד וטבל ושנה
לתלמידיו.

ואמר (להן): בשעה שחלצתי תפילין במה
חשדתוני? אמרו: כסבור רבי "לא יכנסו דברי
קדושה במקום טומאה".

בשעה שנעלתי במה חשדתוני? אמרו: שמא
דבר מלכות יש בינו לביתה.

בשעה שירדתי וטבלתי במה חשדתוני? אמרו:
שמא ניתנה צינורא מפיה על בגדיו של רבי. אמר
להם: העבודה, כך היה. ואתם, כשם שדנתוני
לזכות – המקום ידין אתכם לזכות.

"מפני תרומה טהורה וכו'". פשיטא! לא צריכא,
דמנחה ביד ישראל. מהו דתימא: כיון דלא חזיא
ליה – אסור, קא משמע לן: כיון דחזיא לכהן –
שפיר דמי.

On a similar note, the Gemara relates that the Sages taught in a *baraita*: There was an incident involving a certain pious man who redeemed a young Jewish woman from captivity. When they arrived at the inn he had her lie beneath his feet. The next day, he descended, and immersed in a ritual bath to purify himself before Torah study and prayer, and taught his students. This conduct could arouse suspicion that the pious man kept the maiden for himself, as immersion in the morning is customary for men who have experienced a seminal emission by engaging in sexual relations.

And the pious man said to his students: When I had her lie beneath my feet, of what did you suspect me? They said to him: We said: Perhaps there is a student among us whose conduct is not established before the rabbi, and he wanted to make certain that this student would not inappropriately accost the young woman. Therefore, the rabbi kept the woman close by.

He said to them: When I descended and immersed, of what did you suspect me? They answered: Perhaps due to the exertion of travel, a seminal emission befell the rabbi. He said to them: I swear by the Temple service that it was so. And you, just as you judged me favorably, so may God judge you favorably.

The Sages taught a similar *baraita*: Once there was a certain matter needed by Torah scholars. They wanted to discuss an issue with a certain *matron*⁸ whose company was kept by all the prominent people of Rome. The Torah scholars wanted to address the government on behalf of the Jewish people, and they sought the *matron*'s advice. They said: Who will go? Rabbi Yehoshua said to them: I shall go.

Rabbi Yehoshua and his students went to her. When he arrived with his students at the entrance of her house, he removed his phylacteries at a distance of four cubits from the door, and entered, and locked the door before them. After he emerged, he descended and immersed in a ritual bath, and taught his students. Here too, this was conduct that could arouse suspicion that something improper transpired.

And he said to his students: When I removed the phylacteries, of what did you suspect me? They said to him, we said: The rabbi must hold that sacred items may not enter a place of impurity. Therefore, it would have been inappropriate to enter the house with phylacteries.

He asked: When I locked the door, of what did you suspect me? They said to him: We said: Perhaps there is a discreet royal matter that must be discussed between him and her and should not be revealed.

Rabbi Yehoshua asked: When I descended and immersed, of what did you suspect me? They said to him, we said: Perhaps a bit of spittle sprayed from her mouth onto the rabbi's clothes. The Sages decreed that the legal status of a gentile is like that of a *zav*; their bodily fluids transmit ritual impurity. Rabbi Yehoshua said to them: I swear by the Temple service that it was so. And you, just as you judged favorably, so may God judge you favorably.

We learned in the mishna: One may move ritually pure *teruma*⁹ on Shabbat. The Gemara objects: That is obvious. The Gemara answers: It is necessary to teach this only in a case in which it is placed in Israelite hands. Lest you say: Since it is not suitable for the Israelite to eat, he is prohibited to move it on Shabbat; therefore, it teaches us that since it is suitable for a priest to eat, one may well move it on Shabbat.

Matron – **מטרוניתא**: During the time of Rabbi Yehoshua and his colleagues, in the years preceding and following the destruction of the Temple, many women from the Roman upper classes expressed strong interest in Judaism. Several actually converted. Those who remained gentiles attempted to provide assistance to the Jewish Sages. It is related on several occasions that the Sages took advantage of the counsel of these women and of their ability to serve as intermediaries between them and the Roman authorities.

HALAKHA

One may move ritually pure *teruma* – **מפני תרומה טהורה**: An Israelite is permitted to move ritually pure *teruma* on Shabbat, even though only a priest may eat it (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:20).

Doubtfully tithed produce and tithes – דמאי ומעשר: On Shabbat, it is permitted to move doubtfully tithed produce, even though it is prohibited to eat it, because it may be eaten by the poor. Similarly, it is permitted to move the fruit of the second tithe and consecrated items that have been redeemed, even though the fifth was not added (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:19).

First tithe...a Levite preceded the priest while the grain was still on the stalks – **שהקדימו בשבולין** – An Israelite who separates tithes from the grain before *teruma gedola* is separated does not violate Torah law. There is no need to compensate the priest for his somewhat smaller portion (Rambam *Sefer Zera'im*, *Hilkhot Terumot* 3:13; *Tur*, *Yoreh De'a* 331).

NOTES

Doubtfully tithed produce...if he so desires he may renounce all his property – דמאי...דאי בעי, מפקר ליה לנכסיה: The early commentaries ask (see *Tosafot*): Why is the possibility of a person renouncing his property necessary in order to explain the reason that it is permitted to move doubtfully tithed produce? It is sufficient to establish that it may be eaten by the poor. Some explain that the explanation involving the renouncing of property is indeed extraneous in this context, but that this discussion appears elsewhere in the Talmud where this rationale is required. Therefore, it is cited here in passing. Others explain that only if something is totally unfit for someone, is the rationale employed that it may be fit for others. Since doubtfully tithed produce will be fit for a person after Shabbat after he tithes it, one sets it aside from use until then. Therefore, the Gemara cited the fact that he could renounce his property (Rashba).

One may feed the poor doubtfully tithed produce and soldiers doubtfully tithed produce – **מאכילין את העניים דמאי** – **ואת האכסניא דמאי**: Various explanations were suggested for these *halakhot*, which are subject to dispute in the Jerusalem Talmud. Some explain that these *halakhot* apply to all poor people and all guests, even those who are meticulous and separate tithes from doubtfully tithed produce. The Sages exempted doubtfully tithed produce given as charity from the obligation to separate tithes, in order to increase the funds available for charity (Rambam). Others rule that one must inform his guests and the poor that the food is doubtfully tithed produce, and anyone who wishes may separate the tithe (see Rosh).

Rashi explains that *akhsanya* refers to the king's army, while others state that it refers to Jewish soldiers, who, like the poor, are exempt from tithing doubtfully tithed produce. Others say that a gentile army may be fed with doubtfully tithed produce, and they are not considered to have benefitted from the portion of the priest.

The Levite preceded the priest while the grain was still on the stalks – **שהקדימו בשבולין** – The proper way to separate *teruma* is as follows: The owner of the grain first separates *teruma gedola* from the produce. Typically the amount of the *teruma gedola* is one-fiftieth, or 2%, of the crop, which would be given to a priest. The owner then tithes the remaining produce, separating 9.8% of the original crop and giving it to the Levite. The Levite separates the *teruma* of the tithe, one-tenth of what he received, or 0.98% of the original crop, which he gives to the priest.

However, if the Levite arrives at the granary before the priest, he receives a full 10% of the grain, which he retains even after the *teruma gedola* is separated. In that case, the priest receives a total of only 2.8% instead of 2.98%. The Levite need not separate *teruma gedola* from the tithe.

LANGUAGE

Soldiers [akhsanya] – אכסניא: From the Greek ξενία, *xenia*, meaning a domicile for foreigners as well as food for foreigners and guests. Some understood the word in this context as related to the Greek ὀψωνία, *opsonia*, meaning provision of food for the army. There are variant readings that support this interpretation.

“דמאי וכו’”. דמאי, הא לא חזי ליה? כיון דאי בעי, מפקר ליה לנכסיה ויהוה עני, וחזיא ליה – השתא נמי חזי ליה. דתנן: מאכילין את העניים דמאי ואת האכסניא דמאי. ואמר רב הונא: תנא, בית שמאי אומרים: אין מאכילין את העניים דמאי ואת האכסניא דמאי, ובית הלל אומרים: מאכילין את העניים דמאי ואת האכסניא דמאי.

“ומעשר ראשון שניטלה תרומתו וכו’”. פשיטא! לא צריכא שהקדימו בשבולין, ונטלה הימנו תרומת מעשר, ולא נטלה הימנו תרומה גדולה.

וכי הא דאמר רבי אבהו אמר ריש לקיש: מעשר ראשון שהקדימו בשבולין – פטור מתרומה גדולה, שנאמר: “והרמותם ממנו תרומת ה’ מעשר מן המעשר” מעשר מן המעשר אמרתי לך, ולא תרומה גדולה ותרומת מעשר מן המעשר.

אמר ליה רב פפא לאבוי: אי הכי אפילו הקדימו בכרי נמי ליפטור! אמר ליה, עליך אמר קרא: “מכל מתנותיכם תרימו וגו’”.

ומה ראית? האי אידיגן, והאי לא אידיגן.

“ומעשר שני וכו’”. פשיטא! לא צריכא. שנתן את הקרן ולא נתן את החומש, הא קא משמע לן – דאין חומש מעבב.

And we also learned in the mishna: One may move **doubtfully tithed produce**.^H The Gemara asks: With regard to **doubtfully tithed produce**, why may one move it? It is not suitable for him to eat. The Gemara answers: **Since if he so desires, he may renounce all his property**,^N declaring it ownerless, and he would then be poor, and the doubtfully tithed produce would be **suitable for him, now too it is suitable for him**. A pauper may eat doubtfully tithed produce, as we learned in a mishna: One may feed the poor doubtfully tithed produce and soldiers [*akhsanya*]^L doubtfully tithed produce.^N And Rav Huna said that it was taught: Beit Shammai say: One may neither feed the poor doubtfully tithed produce nor feed soldiers doubtfully tithed produce. And Beit Hillel say: One may feed the poor doubtfully tithed produce and feed soldiers doubtfully tithed produce. The *halakha* is in accordance with the opinion of Beit Hillel.

We learned in the mishna: And one may move **first tithe** whose *teruma* of the tithe has already been taken. The Gemara poses a question: It is obvious that if the *teruma* was already tithed it is non-sacred produce in every sense. The Gemara explains: It was necessary to teach this *halakha* only in the following case: A Levite preceded the priest while the grain was still on the stalks^{HN} and brought it to the threshing floor, and before the grain was threshed, the *teruma* of the tithes was taken and the *teruma gedola* was not taken.

And the above mentioned *halakha* is in accordance with the opinion of Rabbi Abbahu, as Rabbi Abbahu said that Reish Lakish said: With regard to first tithe, in a case in which the Levite preceded the priest while the grain was still on the stalks, one is exempt from separating *teruma gedola* from it, as it is stated: “And you shall set apart from it a gift for the Lord, even a tenth part of the tithe” (Numbers 18:26). By inference: A tenth part of the tithe, i.e., the *teruma* of the tithe, I, God, said to you that you must take, and not both *teruma gedola* and the *teruma* of the tithe.

Rav Pappa said to Abaye: If so, even if the Levite preceded the priest after the kernels of grain were removed from the stalks and placed in a pile, the Levite should also be exempt from taking *teruma gedola*. Abaye said to him: With regard to your claim, the verse states: “From all that is given to you, you shall set apart that which is the Lord’s *teruma*” (Numbers 18:29). God’s *teruma*, i.e., *teruma gedola*, must be taken from all the Levites’ gifts.

The Gemara asks: What did you see that led you to require *teruma gedola* from first tithe that was taken from grain in piles, and not from first tithe that was taken from grain on stalks? Abaye answers: This, stalks that were threshed and placed into piles, are completely processed and have become grain, and that, grains that have remained on the stalk, have not yet become grain. The verse states the following with regard to *teruma gedola*: “The first of your grain” (Deuteronomy 18:4) is given to the priest. Once it is considered grain, the rights of the priest take effect and the Levite is required to separate *teruma gedola*.

We learned in the mishna: One may move second tithe that was redeemed. The Gemara asks: This is obvious. The Gemara answers: It was necessary to teach this *halakha* only in a case where the consecrated property was not completely redeemed, i.e., where one gave payment for the principal, the value of the tithe, but he did not give payment for the fifth that he must add when redeeming items that he consecrated. And the mishna teaches us that failure to add the fifth does not invalidate the redemption, and the second tithe assumes non-sacred status from the moment that one pays the principal.

וְהַתּוֹרָמָה הַיָּבֵשׁ כֹּ". דְּוֹקָא יָבֵשׁ, אֲכָל לֹחַ – לֹא. מֵאֵי טַעְמָא? בֵּינָן דְּמִרְרִי – לֹא אֲכָלָהּ.

And we learned in the mishna: One may move even **dry lupine**, which is not fit for consumption by a person, because it is goat food. The Gemara comments: This applies **only** when lupine is **dry**. However, when it is **moist**, no it is prohibited to move it. What is the reason for this prohibition? Since lupine is extremely **bitter** when wet, an animal **will not** eat it.

Perek XVIII
Daf 128 Amud a

"אֲכָל לֹא אֶת הַטֶּבֶל וכו'". פְּשִׁיטָא! לֹא צְרִיכָא, בְּטֶבֶל טָבוֹל מְדֻבָּבֵן – שְׂזָרְעוּ בְּעֵצִין שְׂאִינֵי נָקוּב.

We learned in the mishna: However, one may not move **untithed produce**^h on Shabbat. The Gemara asks: This is **obvious**. The Gemara answers: It was **only necessary** to teach this *halakha* with regard to a case in which the produce is permitted by Torah law, but is considered **untithed produce only by rabbinic law**. What are the circumstances? It is referring to a case where the produce grew in an **unperforated flowerpot**. The legal status of produce that grows in an **unperforated flowerpot** is not like that of produce that grows in the ground.

"וְלֹא מַעֲשֵׂר ראשון וכו'". פְּשִׁיטָא! לֹא צְרִיכָא, שֶׁהִקְדִּימוּ בְּכָרִי שְׁנִטְלָה מִמֶּנּוּ מַעֲשֵׂר וְלֹא נִשְׁלָה מִמֶּנּוּ תְרוּמָה גְדוּלָּה. מָהוּ דְּתִימָא בְּדִאֲמַר לִיהּ רַב פַּפָּא לְאַבְי – קָא מְשַׁמַּע לֵן כְּדִשְׁנִי לִיהּ אַבְי.

We learned in the mishna: Nor may one move **first tithe**^h from which *teruma* has not been taken. The Gemara asks: This is **obvious**. The Gemara answers: It was **only necessary** for the mishna to teach this *halakha* for a case in which the Levite preceded the priest after the kernels of grain were placed in a pile, where **first tithe was taken and *teruma gedola* was not taken**. Lest you say concerning this case, as Rav Pappa said to Abaye, here too, the produce should be exempt from the obligation to separate *teruma gedola*, the *tanna* of the mishna teaches us as Abaye responded to Rav Pappa: There is a difference between the case in which the grain was on the stalks and the case in which the grain was in a pile.

"וְלֹא אֶת מַעֲשֵׂר שְׁנִי וכו'". פְּשִׁיטָא! לֹא צְרִיכָא, דְּנִפְדּוּ, וְלֹא נִפְדּוּ כְּהִלְכְתָּן. מַעֲשֵׂר – שְׁפָדְאוּ עַל גְּבִי אֲסִימוֹן, דְּרַחֲמָנָא אָמַר: "וְצִרְתָּ הַכֶּסֶף בְּיָדְךָ" – דְּבַר שֵׁשׁ בּוֹ צִוְּהָ. הִקְדָּשׁ – שְׁחִילָלוּ עַל גְּבִי קֶרֶקַע, דְּרַחֲמָנָא אָמַר: "וְנָתַן הַכֶּסֶף וְקָם לוֹ".

We learned in the mishna: Nor may one move **second tithe**^h and consecrated items that were not redeemed. The Gemara asks: This is **obvious**. It was **only necessary** for the mishna to teach this *halakha* with regard to a case where they were redeemed but not redeemed properly. When the mishna lists the second tithe, it is referring to that which was redeemed with an **unminted coin** [*asimon*],¹ i.e., a silver bullion that had not been engraved. And God, in the Torah, states in the case of second tithe: "And bind up [*vetzarta*] the money in your hand" (Deuteronomy 14:25). The Sages interpreted this as follows: *Vetzarta* is money that has a form [*tzura*] engraved upon it. When the mishna lists **consecrated property**, it is referring to that which was redeemed by exchanging it for land instead of money. And God, in the Torah, states with regard to this: He will give the money "and it will be assured to him" (Leviticus 27:19). Money and not land may be used in redeeming consecrated property.

"וְלֹא אֶת הַלּוּף". תָּנּוּ רַבֵּנָן: מְטַלְטְלִין אֶת הַחֶצֶב – מִפְּנֵי שֶׁהוּא מֵאֲכָל לְצִבְיִים, וְאֶת הַחֶרְדֵּל – מִפְּנֵי שֶׁהוּא מֵאֲכָל לְיוֹנִים, רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: אֵף מְטַלְטְלִין שְׂבָרִי זְכוּכִית, מִפְּנֵי שֶׁהוּא מֵאֲכָל לְנִעֲמִיט.

We learned in the mishna: Nor may one move **arum** on Shabbat. The Sages taught in a *Tosefta*: One may move squill on Shabbat because it is food for deer and mustard because it is food for doves. Rabban Shimon ben Gamliel says: One may even move glass shards because they are food for ostriches.^{HN}

אָמַר לִיהּ רַבִּי נָתַן: אֵלָּא מֵעֵתָה חֲבִילֵי זְמוּרוֹת יִטְלְטְלוּ – מִפְּנֵי שֶׁהוּא מֵאֲכָל לְפִילִין! וְרַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל: נִעֲמִיט – שְׂבִיחִי, פִּילִין – לֹא שְׂבִיחִי.

Rabbi Natan said to Rabban Shimon ben Gamliel: If that is so, even bundles of grapevines one should be permitted to move because they are food for elephants. The Gemara answers that Rabban Shimon ben Gamliel responded: Ostriches are common, whereas elephants are not common.

HALAKHA

However, one may not move untithed produce – אֲכָל לֹא אֶת הַטֶּבֶל: It is prohibited to move untithed produce on Shabbat, even if its status is only by rabbinic law (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:19).

Nor may one move first tithe – וְלֹא מַעֲשֵׂר ראשון: It is prohibited to move the first tithe from which *teruma* of the tithe has not been separated (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:19).

Nor may one move second tithe – וְלֹא אֶת מַעֲשֵׂר שְׁנִי: It is prohibited to move second tithe that has not been properly redeemed (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:19).

Carrying food for animals – טָלְטוּל מֵאֲכָלֵי בְּעָלֵי הַיָּם: Anything fit for consumption by common, domesticated animals may be moved on Shabbat, even by one who does not own these animals. If one owns rare animals, he is permitted to move food suited for them. However, others are prohibited to do so. This ruling is in accordance with the opinion of the Rabbis (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:16–17; *Shulḥan Arukh*, *Oraḥ Ḥayyim* 308:29).

LANGUAGE

Unminted coin [*asimon*] – אֲסִימוֹן: From the Greek ἀσήμιον, *asēmon*, meaning an unstamped coin.



Unminted coin

NOTES

Food for ostriches – מֵאֲכָלֵי לְנִעֲמִיט: In the Jerusalem Talmud, Ameimar's statement is accepted and Rav Ashi's objection is rejected. If a particular species is unavailable for purchase, one may not move items for its benefit on Shabbat, even if one owns an animal from that species.

NOTES

One from whom his creditors were demanding repayment of a debt of a thousand times one hundred dinar – **הרי שהיו נושין בו אלף מנה** – There is a halakhic principle that the court makes an arrangement for a debtor. Even though one committed to pay his entire debt and designated all of his property as collateral, the court does not collect everything that he owns. Instead, the court leaves certain necessary items, including clothing, in the debtor's possession. The only dispute in this matter concerns one who grew accustomed to using certain expensive belongings when he was wealthy. There is a question as to whether or not he may keep those items in his possession.

LANGUAGE

Cloak [itztela] – **איצטלא**: From the Greek *στολῖς*, *stolis*, meaning garment or cloak.

BACKGROUND

One hundred times one hundred dinar [maneh] – **מאה מנה**: The *maneh* is a coin worth one hundred dinar. To evaluate the purchasing power of one hundred *maneh*, it should be kept in mind that a worker's daily wages amounted to roughly four dinar. One hundred *maneh* were worth approximately seven years of the average worker's wages.



Maneh coin, from the end of the talmudic period

Thyme – **קורנית**: *Koranit*, according to various identifications in the Talmud, probably refers to the plant called conehead thyme, *Coridothymus capitatus* L. It is a branched shrub 10–50 cm in height, with small, short branches 5 mm long. Its leaves are pink and emit a fragrance. Conehead thyme grows wild in most areas of Israel.



Conehead thyme

אמר רבאמימר: והוא דאית ליה נעמיות. אמר רב אשי לאמימר: אלא דקאמר ליה רבי נתן לרבן שמעון בן גמליאל: "חבילי ומורות יטלטל מפני שהוא מאכל לפילין". אי אית ליה פילין – אמאי לא? אלא – ראוי, הקא נמי – ראוי.

אמר אביי: רבן שמעון בן גמליאל ורבן שמעון ורבי ישמעאל ורבי עקיבא כולו סבירא להו, כל ישראל בני מלכים הם.

רבן שמעון בן גמליאל – הא דאמרן,

רבי שמעון – דתנן: בני מלכים סבין על גבי מכותיהן שמן וורד, שכן דרכן של בני מלכים לסוך בחול. רבי שמעון אומר: כל ישראל בני מלכים הם.

רבי ישמעאל ורבי עקיבא – דתנא: הרי שהיו נושין בו אלף מנה ולבוש איצטלא בת מאה מנה – מפשיטין אותו ומלבישין אותו איצטלא הראויה לו. תנא משום רבי ישמעאל, ותנא משום רבי עקיבא: כל ישראל ראויין לאותה איצטלא.

"חבילי קש וחבילי עצים". תנו רבנן: חבילי קש וחבילי עצים – חבילי ורדים, אם התקינו למאכל בהמה – מטלטלין אותן, ואם לאו – אין מטלטלין אותן. רבן שמעון בן גמליאל אומר: חבילי הנטלין ביד אחד – מותר לטלטלן, בשתי ידים – אסור לטלטלן.

חבילי סיאף אֶזוב וקורנית, הכניסן לעצים – אין מסתפק מהן בשבת, למאכל בהמה – מסתפק מהן בשבת.

Ameimar said: And Rabban Shimon ben Gamliel permits moving glass shards only in a case where one has ostriches. Rav Ashi said to Ameimar: However, with regard to that which Rabbi Natan said to Rabban Shimon ben Gamliel: If that is so, even bundles of grapevines one should be permitted to move because they are food for elephants. If one has elephants, why would he not feed them? The relevant criterion to permit moving the animal food is not whether or not one owns an elephant, but rather whether or not the food is suitable as food for elephants. Here too, in the case of glass shards, the criterion is whether or not they are suitable as food for ostriches, not whether or not one owns an ostrich.¹⁴

Abaye said: Rabban Shimon ben Gamliel, Rabbi Shimon, Rabbi Yishmael, and Rabbi Akiva all hold that all Jewish people are princes. There is nothing that is unsuitable for them due to its extravagance. How do we know that all of them hold this position?

Rabban Shimon ben Gamliel: From that which we said in the mishna, that it is permitted to move arum, this is because arum is food for ravens, and it is as if every Jew owns ravens.

Rabbi Shimon: As we learned in a mishna: Princes may smear rose oil on their wounds on Shabbat, as it is the way of princes to smear it on during the week, even without the purpose of healing a wound. Rabbi Shimon says: All the Jewish people are princes, and it is permitted for them to smear themselves with rose oil on Shabbat.

Rabbi Yishmael and Rabbi Akiva: From that which was taught in a *baraita*: One from whom his creditors were demanding repayment of a debt of a thousand times one hundred dinar [*maneh*]¹⁵ and he was wearing a cloak [itztela]¹⁶ worth one hundred times one hundred dinar,¹⁷ they strip him of that cloak and sell it, and dress him with a cloak worthy of him based on his wealth. It was taught in the name of Rabbi Yishmael, and it was taught in the name of Rabbi Akiva: All the Jewish people are worthy of that more expensive cloak, and it cannot be said that one is unworthy of it. Rather, the coat is treated like any other vital garment. The principle that one need not sell his vital garments to pay off a debt applies to it.

We learned in the mishna: With regard to bundles of straw, and bundles of wood,¹⁸ and bundles of twigs, if one prepared them on Shabbat eve for animal food, one may move them. If not, one may not move them. The Sages taught in a *Tosefta*: With regard to bundles of straw, and bundles of wood, and bundles of twigs, if one prepared them on Shabbat eve for animal food, one may move them. And if not, one may not move them. Rabban Shimon ben Gamliel says: Bundles that are taken in one hand, it is permitted to move them, as no exertion is involved. However, if they can only be taken in two hands, it is prohibited to move them.

With regard to bundles of savory, hyssop, and thyme,¹⁹ fragrant plants suitable as food for people, if one brought them in for use as firewood, he may not supply himself from them on Shabbat for food. If he brought them in for use as food for animals, he too may supply himself from them on Shabbat.

HALAKHA

Carrying food for animals – **טלטול מאכלי בעלי חיים**: Anything fit for consumption by common, domesticated animals may be moved on Shabbat, even by one who does not own these animals. If one owns rare animals, he is permitted to move food suited for them. However, others are prohibited to do so. This ruling is in accordance with the opinion of the Rabbis (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:16–17; *Shulhan Arukh*, *Orah Hayyim* 308:29).

One from whom his creditors were demanding repayment of a debt of a thousand times one hundred dinar – **הרי שהיו נושין בו אלף מנה**: The court does not collect a debtor's clothes and essential household items in payment of a debt. However, if the debtor dresses in very expensive garments, the court may sell those garments to repay the debt and provide the debtor with other garments (Rambam *Sefer Mishpatim*, *Hilkhot Malve VeLoveh* 1:7 and *Sefer Hafla'a*, *Hilkhot Arakhin VaHaramim* 3:16; *Shulhan Arukh*, *Hoshen Mishpat* 97:28).

Bundles of straw and bundles of wood – **חבילי קש וחבילי עצים**: It is permitted to move bundles of straw and wood that were prepared as food for one's animals on Shabbat, even if the bundles are very large (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:18; *Shulhan Arukh*, *Orah Hayyim* 308:28).

Bundles of savory, hyssop, and thyme – **חבילי סיאף אֶזוב וקורנית**: It is prohibited to make use of plants that are not designated specifically for people to eat, if one stored them with the firewood. However, if he stored them as animal feed, he may pick them by hand and eat them. He may not pick them with a utensil in the manner that he does during the week. It is permitted to crush the herbs with his fingertips, but not with his entire hand as he would during the week (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:18; *Shulhan Arukh*, *Orah Hayyim* 321:1).

Rue [*peigam*] – פִּיגָם: From the Greek *πήγανον*, *pè-ganon*, a plant from the ruta family.

Mint [*ninya*] – נִינְיָא: From the Akkadian *ninû*, referring to a medicinal plant.

NOTES

With regard to an item set aside from moving, he holds in accordance with the opinion of Rabbi Shimon – בְּמוֹקְצָה לְטַלְטֹל סָבַר לֵה רַבִּי שִׁמְעוֹן – Fundamentally, Rav holds in accordance with the opinion of Rabbi Yehuda with regard to the prohibition of set-aside that objects set aside due to prohibition may not be moved. However, Rav ruled that if a food item may not be eaten because it is set-aside, there is no reason to prohibit moving it (Rashba).

HALAKHA

Salted fish – דָּג מְלִיחַ – It is permitted to move salted fish on Shabbat. However, it is prohibited to move unsalted, raw, uncooked fish, as per the *baraita* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:18; *Shulhan Arukh*, *Orah Hayyim* 308:32).

Unsalted meat – בָּשָׂר תָּפֵל – It is permitted to move raw meat even if it unsalted because it is edible, as per the *baraita* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:18; *Shulhan Arukh*, *Orah Hayyim* 321:31).

One may move bones – מִטַּלְטְלִין אֶת הָעֲצָמוֹת – On Shabbat, it is permitted to move bones whose meat was removed on Shabbat eve. It is all the more so permitted if the meat was removed on Shabbat, because the bones are dog food. This ruling is according to the *Beit Yosef*, in accordance with the *baraita* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:18; *Shulhan Arukh*, *Orah Hayyim* 308:29 and in the comment of the Rema).

וְקוּטִים בִּיד וְאוֹכֵל, וּבִלְבָד שְׁלֹא יִקְטוּם בְּכֵלִי, וּמוֹלֵל וְאוֹכֵל, וּבִלְבָד שְׁלֹא יִמְלֹל בְּכֵלִי הַרְבֵּה, דְּבָרֵי רַבִּי יְהוּדָה. וְחֻכְמִים אוֹמְרִים: מוֹלֵל בְּרָאשֵׁי אֲצָבָעוֹתָיו וְאוֹכֵל, וּבִלְבָד שְׁלֹא יִמְלֹל בְּיָדוֹ הַרְבֵּה כְּדָרָךְ שֶׁהוּא עוֹשֶׂה בַּחֹל.

וְכֵן בְּאִמְתָּא. וְכֵן בְּפִיגָם, וְכֵן בְּשָׂאָר מִיְּנֵי תַבְלִין. מַאי אִמְתָּא? גִּינְיָא. "סִיאָה". אָמַר רַב יְהוּדָה: (סִיאָה) – צִתְרִי. "אִזּוּב" – אֲבִרְתָּא. "קוֹרְנִית" – קוֹרְנִיתָא שְׁמָה.

וְהָא הָהוּא דְאָמַר לֵה: "מֵאן בְּעֵי קוֹרְנִיתָא", וְאִישִׁיתֶכֶם "חֲשִׁי" אֵלֶּא: סִיאָה – צִתְרִי, אִזּוּב – אֲבִרְתָּא, קוֹרְנִיתָא – חֲשִׁי.

אִיתְמַר: בָּשָׂר מְלִיחַ מוּתָר לְטַלְטֹל בְּשַׁבָּת; בָּשָׂר תָּפֵל, רַב הוֹנָא אָמַר: מוּתָר לְטַלְטֹל, רַב חֲסֵדָא אָמַר: אָסוּר לְטַלְטֹל.

רַב הוֹנָא אָמַר: מוּתָר לְטַלְטֹלוֹ? וְהָא רַב הוֹנָא תַלְמִיד דְּרַב הוּהוּ, וְרַב פְּרָבִי יְהוּדָה סְבִירָא לֵיה, דְּאִית לֵיה מוֹקְצָה!

בְּמוֹקְצָה לְאִכְלָה – סָבַר לֵה פְּרָבִי יְהוּדָה, בְּמוֹקְצָה לְטַלְטֹל – סָבַר לֵה פְּרָבִי שִׁמְעוֹן.

רַב חֲסֵדָא אָמַר: אָסוּר לְטַלְטֹלוֹ. וְהָא רַב יִצְחָק בַּר אֲמִי אִיקְלַע לְבֵי רַב חֲסֵדָא, וְחָזָא הָהוּא בַּר אֲוּזָא דְהוּוּ קָא מְטַלְטֵל לֵיה מְשַׁמְשָׁא לְטוּלָא. וְאָמַר רַב חֲסֵדָא: חֲסָדוֹן כִּיס קָא חֲזִינוּן הָכָא! שְׂאֵנִי בַר אֲוּזָא דְחָזִי לְאוּמָצָא.

תִּנּוּ רַבֵּנָן: דָּג מְלִיחַ – מוּתָר לְטַלְטֹלוֹ, דָּג תָּפֵל – אָסוּר לְטַלְטֹלוֹ. בָּשָׂר, בֵּין תָּפֵל וּבֵין מְלִיחַ – מוּתָר לְטַלְטֹלוֹ, (וּסְתָמָא פְּרָבִי שִׁמְעוֹן).

תִּנּוּ רַבֵּנָן: מְטַלְטְלִין אֶת הָעֲצָמוֹת מִפְּנֵי שֶׁהוּא מֵאֲכָל לְבָלָבִים,

And one may pick them with his hand and eat, as long as he does not pick them with a vessel. And one may crush and remove the seeds with his hand and eat them, as long as he does not crush a lot with a vessel; this is the statement of Rabbi Yehuda. And the Rabbis say: One may crush them only with the ends of his fingers, in an atypical manner, as long as he does not crush a lot with his hand in the manner that he does during the week.

And that too is the *halakha* with regard to *amita*, and with regard to rue [*peigam*],¹ and with regard to all the other types of spices. The Sages asked: What is *amita*? They answered: It is mint [*ninya*].¹ What is *sia*? Rav Yehuda says: *Sia* is savory. *Ezov* is hyssop. *Koranita* is called *koranita*, i.e., it is not known to us by any other name.

The Gemara asks: The one who came to sell and said to them: Who wants *koranita*? And he was found to be selling thyme. Therefore, we see that *koranita* is in fact a plant that is known to us. Rather, it should be explained: *Sia* is savory, *ezov* is hyssop, and *koranita* is thyme.

It was stated: It is permitted to move salted meat on Shabbat, as it is fit for consumption. With regard to unsalted meat, Rav Huna said: It is permitted to move it. Rav Hisha said: It is prohibited to move it.

The Gemara asks: Did Rav Huna say that it is permitted to move it? Wasn't Rav Huna a student of Rav, and Rav holds in accordance with the opinion of Rabbi Yehuda, who is of the opinion that there is a prohibition of set-aside for salted meat? How could Rav Huna disagree with the opinion of his teacher?

The Gemara answers: With regard to a food item set aside from eating, Rav holds in accordance with the opinion of Rabbi Yehuda, that it may not be eaten. With regard to an item set aside from moving, he holds in accordance with the opinion of Rabbi Shimon,^N who is not of the opinion that there is a prohibition of set-aside, and moving it is permitted.

Rav Hisha said: It is prohibited to move unsalted meat on Shabbat. The Gemara asks: Didn't Rav Yitzhak bar Ami happen to come to Rav Hisha's house, and he saw the meat of that duck? He saw that they were moving it from the sun to the shade so that it would not spoil. And Rav Hisha said to the members of his household: We see a case of monetary loss here. One must make certain that the meat does not stay in the sun and spoil. Apparently, Rav Hisha holds that it is permitted to move inedible meat. The Gemara answers: The meat of a duck is different, as it is fit to be eaten as raw meat.

The Sages taught in a *baraita*: With regard to salted fish,^H it is permitted to move it on Shabbat. With regard to unsalted fish, it is prohibited to move it. Meat, both unsalted meat^H and salted meat, it is permitted to carry it. And this unattributed *baraita* is in accordance with the opinion of Rabbi Shimon.

The Sages taught: One may move bones^H on Shabbat, because they are food for dogs.

With regard to swollen meat^N that began to putrefy, it is permitted to move it because it is food for non-domesticated animals. With regard to exposed water, from which a snake might have drunk and into which it injected its venom, it is permitted to move it because it is suitable for a cat, which is somewhat immune to snake venom. Rabban Shimon ben Gamliel says: Exposed water itself may not be kept due to the danger that one may inadvertently drink it.

NOTES

Swollen meat – בָּשָׂר תַּפְחִי – Some commentaries explain that swollen meat is meat so putrefied that it is not fit for consumption even by a dog. Others explain that it is swollen due to venom and can only be eaten by certain animals (*Korban Netanel*).

בָּשָׂר תַּפְחִי – מִפְּנֵי שֶׁהוּא מֵאֲכָל לְחִיָּה, מִיָּם מְגוּלִין – מִפְּנֵי שֶׁהֵן רְאוּיִין לְחִתּוּל. רַבֵּן שִׁמְעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: כָּל עֲצָמֹן אָסוּר לְשִׁחּוֹתוֹ, מִפְּנֵי הַסְּכָנָה.

One may overturn a basket in front of the chicks – **בזמן** את הפסל לפני האפרוחים: On Shabbat, it is permitted to overturn a basket so chicks may climb on and climb off it. However, it is prohibited to move the basket while the chicks are on it (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:25; *Shulḥan Arukh*, *Orah Ḥayyim* 308:39).

A woman may help her son to walk – **אשה מדדה את בנה**: It is permitted to help a child walk on Shabbat, even in the public domain, provided that the child takes each step by himself and that one does not drag the child. This ruling is based on the principle that when Rabbi Yehuda asks in the mishna the rhetorical question: When, he is explaining the opinion of the Rabbis, and that opinion is the *halakha* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 18:16, 25:25; *Shulḥan Arukh*, *Orah Ḥayyim* 308:41).

An animal that fell into an aqueduct – **בהמה שנפלה לאמת המים**: If an animal falls into an aqueduct on Shabbat, it is preferable to feed it there. However, if the water in the aqueduct is deep, and feeding the animal there is impossible, it is permitted to bring cushions or blankets and place them beneath the animal so it can climb out (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:26; *Shulḥan Arukh*, *Orah Ḥayyim* 305:19).

Causing a living creature to suffer is a Torah prohibition – **צער בעלי חיים דאורייתא**: Causing a living creature to suffer is prohibited by Torah law. Indeed, one must make every effort to ease the pain of living creatures (Rambam *Sefer Nezikin*, *Hilkhot Rotze'ah UShemirat HaNefesh* 13:13; *Shulḥan Arukh*, *Hoshen Mishpat* 272:9 and in the comment of the Rema).

One may help domesticated animals...walk, etc. – **מדדין בהמה וכו'**: It is permitted to help young animals and fowl of all kinds walk in a courtyard, so long as they require the assistance and provided that one does not lift them off of the ground. Assisting hens is prohibited because a hen lifts itself off of the ground. Therefore, assisting it entails carrying it. However, it is permitted to gently nudge a hen with one's hand to encourage it to walk, as per the mishna and in accordance with the opinion of Abaye (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:26; *Shulḥan Arukh*, *Orah Ḥayyim* 308:40).

NOTES

Help...walk – **מדדין**: The rationale for helping young animals to walk is to prevent a living creature from suffering. However, it is only permitted to help the animal when it needs help (Ran).

מתני' בזמן את הפסל לפני האפרוחים כדי שיעלו ויורדו. תרנגולת שברחה דוחין אותה עד שתבנס.

מדדין עגלון וסיוחין. אשה מדדה את בנה. אמר רבי יהודה: אימתי – בזמן שהוא נוטל אחת ומניח אחת! אבל אם היה גורר – אסור.

גמ' אמר רב יהודה אמר רב: בהמה שנפלה לאמת המים – מביא כרים וכסתות ומניח תחתיה, ואם עלתה – עלתה.

מיתיבי: בהמה שנפלה לאמת המים – עושה לה פרנסה במקומה בשביל שלא תמות. פרנסה – אין, כרים וכסתות – לא!

לא קשיא: הא – דאפשר בפרנסה, הא – דאי אפשר בפרנסה. אפשר בפרנסה – אין, ואי לא – מביא כרים וכסתות ומניח תחתיה.

והא קא מבטל כלי מהיכנו! סבר, מבטל כלי מהיכנו – דרבנן, צער בעלי חיים – דאורייתא, ואיתי דאורייתא ודחי דרבנן.

"תרנגולת שברחה וכו'." דוחין – אין, מדדין – לא. תנינא להא, דתנו רבנן: מדדין בהמה חיה ועוף בחצר, אבל לא את התרנגולת.

תרנגולת מאי טעמא לא? אמר אביי: משום דמקפאי נפשה.

תני תדא: מדדין בהמה וחיה ועוף בחצר, אבל לא ברשות הרבים. והאשה מדדה את בנה ברשות הרבים, ואין צריך לומר בחצר. ותנא אידך: אין עוקרין בהמה וחיה ועוף בחצר, אבל דוחין בהן שיבנסו.

הא גופא קשיא, אמרת: "אין עוקרין" אבל דדוי – מדדין. הדר אמרת: דוחין – אין, מדדין – לא! אמר אביי: סיפא אתאן לתרנגולת.

MISHNA One may overturn a basket in front of the chicks^H so that they can climb on and climb off of it. Likewise, with regard to a hen that fled that one seeks to retrieve, one may push it even with his hands until it reenters the house.

One may help calves and foals to walk,^N and likewise a woman may help her son to walk.^H Rabbi Yehuda said: When is it permitted? When her son picks one foot up and puts one foot down by himself. However, if her son were dragging both his feet, it would be prohibited because it would be like carrying him in the public domain.

GEMARA Rav Yehuda said that Rav said: With regard to an animal that fell into an aqueduct,^H one brings cushions and blankets, and throws them into the water ditch, and places them beneath the animal in the aqueduct. And if the animal thereby emerges, it emerges.

The Gemara raises an objection from a *Tosefta*: With regard to an animal that fell into an aqueduct on Shabbat, one provides it with sustenance in its place so that it will not die. This implies that providing it with sustenance, yes, that is permitted, providing it with cushions and blankets, no, that it is prohibited.

The Gemara answers: This is not difficult, as there is room to distinguish between the cases. This, the *Tosefta* in which it was taught that one provides the animal with sustenance, is referring to a case where it is possible to provide it with sustenance. That, the mishna in which Rav said that one brings cushions and blankets, is referring to a case where it is impossible to provide it with sustenance. Where it is possible to provide it with sustenance, yes, he does so. And if it is not possible to provide it with sustenance, he brings cushions and blankets and places them beneath the animal.

The Gemara asks: Does he not, by placing the cushions and blankets, negate a vessel's preparedness? The cushions and blankets are no longer fit for their designated use on Shabbat, and this negation of their designated use is similar to the prohibited labor of dismantling. The Gemara answers: Rav holds that negating a vessel's preparedness is prohibited by rabbinic law. Causing a living creature to suffer is a Torah prohibition.^H And a matter prohibited by Torah law comes and overrides a matter prohibited by rabbinic law.

We learned in the mishna: With regard to a hen that fled that one seeks to retrieve, he may push it back to its place. By inference: Push the hen, yes, it is permitted, help it to walk, no, it is prohibited. The Gemara comments: We already learned this, as the Sages taught: One may help domesticated animals, non-domesticated animals, and fowl walk^H in the courtyard on Shabbat, but not hens.

The Gemara asks: With regard to a hen, what is the reason that one may not help it walk? Abaye says: It is prohibited because the hen lifts itself off the ground. As a result, one actually carries it.

It was taught in one *baraita*: One may help domesticated animals, non-domesticated animals, and fowl walk in the courtyard, but not in the public domain. And a woman may help her son walk in the public domain, and, needless to say, it is permitted in the courtyard. And it was taught in another *baraita*: One may not lift domesticated animals, non-domesticated animals, and fowl off the ground in the courtyard, but one may push them so that they will enter.

The Gemara first seeks to clarify the second *baraita*. This *baraita* itself is difficult. On the one hand, you said that one may not lift, from which it may be inferred, however, that one may help it walk. Then you said: Push, yes, it is permitted, help walk, no, it is prohibited. Abaye said: The latter clause, which states that one may not help it walk, we came to the *halakha* of a hen, which, as mentioned above, one may not help it walk.

Dislocate the signs – עקר להו לסימנים: When slaughtering an animal, dislocating the trachea and the gullet instead of cutting them renders the animal an unslaughtered carcass.

One may not birth an animal – אין מילדין את – הבהמה: According to Rashi, birthing an animal is prohibited because it involves exertion, and it is prohibited by rabbinic decree. Others maintain that delivering an animal on Shabbat is a violation of a prohibition by Torah law.

אמר אביי: האי מאן דשחיט תרגולת – לכבשינהו לכרעיה בארעא, אי נמי – מידל להו מידל. דדילמא מנח להו לטופריה בארעא, ועקר להו לסימנים.

Having mentioned moving the hen, the Gemara cites that which Abaye said: One who slaughters a hen^H should force its legs into the ground, or alternatively lift it entirely into the air. Failure to do so leads to the concern lest the hen place its claws into the ground and convulse during the slaughter and dislocate the signs,^N the trachea and gullet. This would invalidate the slaughter and render the hen an unslaughtered animal carcass.

מתני' אין מילדין את הבהמה ביום טוב! אבל מסעדין. ומילדין את האשה בשבת, וקורין לה חכמה ממקום למקום, ומחללין עליה את השבת, וקורין את הטיבור. רבי יוסי אומר: אף חותכין. וכל צרכי מילה עושין בשבת.

MISHNA One may not birth an animal^{NH} on a Festival, and all the more one may not birth it on Shabbat. However, one may assist it to give birth. And one may birth a woman^H even on Shabbat, and call a midwife for her to travel from place to place, even when the midwife's travel involves the desecration of Shabbat. And one may desecrate Shabbat for a woman giving birth. And one may tie the umbilical cord of a child born on Shabbat. Rabbi Yosei says: One may even cut the umbilical cord. And all the requirements of circumcision may be performed for a baby whose eighth day of life occurs on Shabbat.

גמ' כיצד מסעדין? רב יהודה אמר: אווזין את הולד שלא יפול לארץ. רב נחמן אמר: דוחק בבשר כדי שיצא הולד.

GEMARA The Gemara asks: How may one assist in the birth of an animal? Rav Yehuda said: One holds the newborn so that it will not fall to the ground. Rav Nahman says: One presses the flesh around the womb so that the newborn will emerge.

תנא בוותיה דרב יהודה: כיצד מסעדין – אווזין את הולד שלא יפול לארץ, ונופת לו בחוטמו, ונותן לו דד לתוך פיו כדי שינק.

It was taught in a *baraita* in accordance with the opinion of Rav Yehuda: How may one assist in the birth of an animal? One holds the newborn so that it will not fall to the ground, and he blows into its nostrils to remove mucus obstructing the air passages, enabling the offspring to breathe, and he places the mother's teat into its mouth so that it will suckle.

אמר רבן שמעון בן גמליאל: מרחמין היינו על בהמה טהורה ביום טוב. היכי עביד? אמר אביי: מביא בול של מלח ומניח לה בתוך הרחם, כדי שתזכור צערה ותרחם עליו. ומזלפין מי שליא על גבי וולד כדי שתריח ריחו ותרחם עליו. ודוקא טהורה, אבל טמאה – לא.

Rabban Shimon ben Gamliel says: We would have mercy on kosher animals^H on a Festival, to help the offspring. The Gemara asks: How does one have mercy? Abaye said: If the mother does not draw her offspring near and tend to it, one may bring a lump of salt and place it in the animal's womb, so that it will suffer, remember its suffering while giving birth, and have mercy on the offspring. And one may pour fluids of the afterbirth on the offspring so that the mother will smell it and have mercy on it, her offspring. And this may be done specifically for a kosher animal, but for a non-kosher animal, no, it may not be done.

מאי טעמא? טמאה לא מרחקא ולדא, ואי מרחקא ולדא – לא מקרבא.

The Gemara asks: What is the reason one may not do so for a non-kosher animal? The Gemara answers: A non-kosher animal does not distance its offspring, and if it does distance its offspring, it will not draw it near again. No purpose is served by taking these steps with a non-kosher animal.

"מילדין את האשה וכו'". מכדי תנא ליה "מילדין את האשה וקורין לה חכמה ממקום למקום", "ומחללין עליה את השבת" לאתויי מאי?

We learned in the mishna: And one may birth a woman even when that involves the desecration of Shabbat. The Gemara asks: After all, it was taught explicitly in the mishna: And one may birth a woman even on Shabbat, and call a midwife for her to travel from place to place. The phrase: And one may desecrate Shabbat for a woman giving birth, what does it come to include? All the possible acts of desecrating Shabbat for the birthing woman were already listed.

HALAKHA

One who slaughters a hen – האי מאן דשחיט תרגולת: One who slaughters hens must make certain to force their legs into the ground or lift them completely off of the ground, so as not to invalidate the kosher slaughter. This ruling is as per the opinion of Abaye (Rambam *Sefer Kedusha*, *Hilkhot Shehita* 3:14; *Shulhan Arukh*, *Yoreh De'a* 24:20).

One may not birth an animal – אין מילדין את הבהמה: It is prohibited to birth an animal on Shabbat or on a Festival; however, it is permitted to assist in the birth, even on Shabbat. The manners in which it is permitted to assist the birth are the following: Holding the newborn so it does not fall, blowing into its nostrils, and placing a teat into its mouth. This ruling is as per the mishna, and in accordance with the statements of all the *amora'im*. The *amora'im* do not disagree on this matter, they merely cite different examples (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 4:16; *Shulhan Arukh*, *Orah Hayyim* 332:1, 523:3).

And one may birth a woman – ומילדין את האשה: The legal status of a woman in childbirth is that of a dangerously sick person, and all her needs may be performed on Shabbat. A lamp may be kindled for her even if she is blind, as it calms her. Any labors that can be performed in an atypical manner should be performed that way (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 2:11; *Shulhan Arukh*, *Orah Hayyim* 330:1).

We would have mercy on kosher animals – מרחמין היינו על בהמה טהורה: When a kosher animal pushes away its newborn, it is permitted to splash fluid from the placenta onto the newborn. It is also permitted to place a lump of salt into the mother's womb to cause it pain, so that it will have pity on the child and draw it near. This procedure may not be performed on a non-kosher animal because it is ineffective (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 4:16; *Shulhan Arukh*, *Orah Hayyim* 523:4).

Womb [kever] – קֶבֶר: Although the Talmud does not shy away from discussing any issue, as all aspects of life require talmudic study, the Sages consistently employ euphemisms. In this case, the word *kever*, literally grave, is a euphemism for the womb. This particular euphemism was influenced by the verse in which these two items are listed together among things that are never satisfied: “The grave and the barren womb” (Proverbs 30:16).

לְאִתּוּיָּהּ הָאֵתְנָהּ וּבִנְיָן: אִם הִיְתָה צְרִיכָה לִנֵּר – חֲבִירָתָהּ מְדַלֶּקֶת לָהּ אֶת הַנֵּר, וְאִם הִיְתָה צְרִיכָה לְשֶׁמֶן – חֲבִירָתָהּ מְבִיאָה לָהּ שֶׁמֶן בִּיד, וְאִם אֵינוֹ סָפֵק בִּיד – מְבִיאָה בְשַׁעֲרָה, וְאִם אֵינוֹ סָפֵק בְּשַׁעֲרָה – מְבִיאָה לָהּ בְּכֵל.

אָמַר מֶר: אִם הִיְתָה צְרִיכָה לִנֵּר – חֲבִירָתָהּ מְדַלֶּקֶת לָהּ אֶת הַנֵּר. פְּשִׁיטָא! לֹא צְרִיכָא בְּסוּמָא. מַהוּ דְתִימָא: כִּינן דְלֹא חֲזִיא – אָסוּר, קָא מְשַׁמַּע לָן: אִיתּוּבֵי מִיתְבָּא דַּעֲתָה, סְבָרָא: אִי אִיכָא מִידֵי – חֲזִיא חֲבִירָתָהּ וְעַבְדָּהּ לִי.

”אִם הִיְתָה צְרִיכָה לְשֶׁמֶן וְכו’.” תִּפְּוֹק לִיָּהּ מִשּׁוּם סְחִיטָה!

רַבָּה וְרַב יוֹסֵף דְּאִמְרֵי תְרוּוִיָּהּ: אֵין סְחִיטָה בְּשִׁיעָר. רַב אֲשִׁי אָמַר: אִפְּלוּ תִימָא ”יֵשׁ סְחִיטָה בְּשִׁיעָר” – מְבִיאָה לָהּ בְּכֵל דְּרָךְ שַׁעֲרָה. דְּכַמָּה דְּאִפְּשָׁר לְשִׁנּוּי – מְשַׁנֵּנ.

אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: חִיָּה, כָּל זְמַן שֶׁהַקֶּבֶר פְּתוּחַ, בֵּין אָמְרָה ”צְרִיכָה אֲנִי” בֵּין לֹא אָמְרָה ”צְרִיכָה אֲנִי” – מְחַלְלִין עָלֶיהָ אֶת הַשַּׁבָּת.

נִסְתָּם הַקֶּבֶר, בֵּין אָמְרָה

The Gemara answers: It comes to include that which the Sages taught with regard to this issue: If a woman giving birth were to need a lamp, her friend lights the lamp for her on Shabbat. And if she were to need oil, her friend brings her oil via the public domain in an atypical manner, carrying it in the palm of her hand but not in a vessel. And if the oil that her friend brings in her hand is not enough, she brings oil in her hair. And if oil that she brings in her hair is not enough, she brings oil for her in the typical manner, in a vessel.

The Master said in the *baraita*: If a woman giving birth were to need a lamp, her friend would light the lamp for her on Shabbat. The Gemara asks: This is obvious. The Gemara answers: It is necessary to teach this *halakha* only in the case of a blind woman giving birth. Lest you say: Since she cannot see even with the light it is prohibited to bring a lamp for her, it teaches us that lighting the lamp is permitted to settle her mind. The blind woman thinks: If there is something that needs to be done in the course of childbirth, the lamp will enable my friend to see and she will do it for me.

We learned in the mishna: And if she needed oil, her friend brings her oil in her hair. The Gemara asks: What good is this advice? Derive that it is prohibited due to the prohibited labor of wringing. The friend will need to wring her hair in order to extract the oil for the birthing woman.

It was Rabba and Rav Yosef who both said: There is no prohibition of wringing with regard to hair, since hair does not absorb liquids like other materials. Rav Ashi said: Even if you say that there is a prohibition of wringing with regard to hair, here the friend does not actually bring the oil in her hair. Rather, she brings it in a vessel tied through her hair. She does this because as much as it is possible to change the manner in which one performs a labor that is being done to save a life, we change it.

Rav Yehuda said that Shmuel said: With regard to a woman in childbirth, as long as the womb⁴ is open, whether she said: I need Shabbat to be desecrated, or whether she did not say: I need Shabbat to be desecrated, one desecrates Shabbat for her. Generally, a woman in childbirth is in danger, and prohibited labors may be performed in life-threatening circumstances.

Once the womb closed after birth, whether the woman who gave birth said:

Perek XVIII

Daf 129 Amud a

NOTES

אָמְרָה צְרִיכָה – Said I need...did not say I need – אֲנִי...לֹא אָמְרָה צְרִיכָה אֲנִי: The Ramban writes that this discussion is referring to a situation in which there is no doctor present. However, if a doctor is present, and he determines that the woman requires care that involves desecrating Shabbat, then her protestations to the contrary are ignored. Perhaps her ability to make a rational decision is compromised due to her pain and suffering. Halakhic rulings are always lenient in cases of uncertainty with regard to a life-threatening situation.

In cases of uncertainty concerning a life-threatening situation, the *halakha* is lenient – סָפֵק נִפְשׁוֹת לְהִקָּל: According to Rashi, the source for this law is the instruction to the court: “And the congregation shall deliver” (Numbers 35:25). It is the duty of the court to tend towards leniency whenever there is uncertainty whether or not the situation is a life-threatening one.

”צְרִיכָה אֲנִי” בֵּין לֹא אָמְרָה ”צְרִיכָה אֲנִי” – אֵין מְחַלְלִין עָלֶיהָ אֶת הַשַּׁבָּת.

רַב אֲשִׁי מְתַנֵּי הָכִי. מֶר וּשְׁטָרָא מְתַנֵּי הָכִי: אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: חִיָּה כָּל זְמַן שֶׁהַקֶּבֶר פְּתוּחַ, בֵּין אָמְרָה ”צְרִיכָה אֲנִי” וּבֵין אָמְרָה ”אֵין צְרִיכָה אֲנִי” – מְחַלְלִין עָלֶיהָ אֶת הַשַּׁבָּת. נִסְתָּם הַקֶּבֶר, אָמְרָה ”צְרִיכָה אֲנִי” – מְחַלְלִין עָלֶיהָ אֶת הַשַּׁבָּת, לֹא אָמְרָה ”צְרִיכָה אֲנִי” – אֵין מְחַלְלִין עָלֶיהָ אֶת הַשַּׁבָּת.

אָמַר לִיָּהּ רַבִּינָא לְמַרְיָמוֹ: מֶר וּשְׁטָרָא מְתַנֵּי לְקוּלָא, וְרַב אֲשִׁי מְתַנֵּי לְחֻמְרָא, הֲלָכְתָּא כְּמִאן? אָמַר לִיָּהּ: הֲלָכָה כְּמֶר וּשְׁטָרָא, סָפֵק נִפְשׁוֹת לְהִקָּל.

I need Shabbat to be desecrated, or whether she did not say: I need⁴ Shabbat to be desecrated, one does not desecrate Shabbat for her.

That is how Rav Ashi taught it. This is how Mar Zutra taught it: Rav Yehuda said that Shmuel said: With regard to a woman in childbirth, as long as the womb is open, whether she said: I need Shabbat to be desecrated, or whether she did not say: I need Shabbat to be desecrated, one desecrates Shabbat for her. Once the womb closed after birth, if she said: I need Shabbat to be desecrated, one desecrates Shabbat for her. If she did not say: I need Shabbat to be desecrated, and all the more so if she said: I do not need Shabbat to be desecrated, one does not desecrate Shabbat for her.

Ravina said to Mareimar: Since Mar Zutra teaches leniently, and Rav Ashi teaches stringently, in accordance with whose opinion is the *halakha*? Mareimar said to him: The *halakha* is in accordance with the opinion of Mar Zutra, based on the following principle: In cases of uncertainty concerning a life-threatening situation, the *halakha* is lenient.⁵

From when is it considered that the opening of the womb has begun – **מַאימְתִי פְתִיחַת הַקֶּבֶר**: A woman is considered in childbirth when she sits on the travelling chair, when the blood begins to flow from the womb, or when her friends carry her. If any one of these instances occurs on Shabbat, Shabbat may be violated to assist her. This ruling is in accordance with all the lenient opinions cited in the Gemara (Ramban; Rambam *Sefer Zemanim, Hilkhos Shabbat* 2:13; *Shulhan Arukh, Oraḥ Hayyim* 330:3).

עַד מָתִי – Until when is she considered in childbirth? **נְקֻרָאֵת יוֹלֶדֶת**: During the first three days after birth, even if the mother says: I do not need Shabbat to be desecrated for me, Shabbat is desecrated for her. From the fourth to the seventh day after giving birth, if she says: I don't need Shabbat to be desecrated for me, Shabbat may not be desecrated for her. From the eighth to the thirtieth days, she is considered a sick person not in danger, and Shabbat may not be desecrated for her (Rambam *Sefer Zemanim, Hilkhos Shabbat* 2:10; *Shulhan Arukh, Oraḥ Hayyim* 330:4).

דָּבָר שֶׁאֵין בוֹ – אִם שָׁאֵין בּוֹ: A matter in which there is no danger – When one is ill and there is no threat to his life, or if one experiences a pain that affects the entire body, he is permitted to instruct a gentile to cure him (Rambam *Sefer Zemanim, Hilkhos Shabbat* 2:10; *Shulhan Arukh, Oraḥ Hayyim* 328:17).

BACKGROUND

תְּחִילַת לֵידָה – The beginning of birth: The accepted modern medical opinion is that birth begins the moment the womb is open.

עוֹשֶׂין – One builds a fire for a woman in childbirth – **מִדּוּרָה לְחֵיָה**: The commentaries wondered why this specific example of desecrating Shabbat was mentioned. Perhaps the fire was for the benefit of the newborn to avert the danger of the condition called cold injury.

מַאימְתִי פְתִיחַת הַקֶּבֶר? אָמַר אַבְי: מִשְׁעָה שֶׁתֵּשֵׁב עַל הַמְשָׁבֵר. רַב הוֹנָא בְרִיה דְּרַב יְהוֹשֻׁעַ אָמַר: מִשְׁעָה שֶׁהָדָם שׁוֹתֵת וְיֹרֵד. וְאַמְרֵי לָהּ: מִשְׁעָה שֶׁחֲבֵרוֹתֶיהָ נוֹשְׂאוֹת אוֹתָהּ בְּאַנְפֵיהָ.

עַד מָתִי פְתִיחַת הַקֶּבֶר? אָמַר אַבְי: שְׁלֹשָׁה יָמִים. רַבָּא אָמַר מִשְׁמִיָּה דְּרַב יְהוּדָה: שְׁבַע, וְאַמְרֵי לָהּ: שְׁלֹשִׁים.

אָמְרֵי נְהַרְדְּעִי: חַיָּה שְׁלֹשָׁה, שְׁבַע וְשְׁלֹשִׁים. שְׁלֹשָׁה, בֵּין אִמְרָה "צְרִיכָה אֲנִי" וּבֵין אִמְרָה "לֹא צְרִיכָה אֲנִי" – מַחְלִלִין עָלֶיהָ אֶת הַשַּׁבָּת. שְׁבַע, אִמְרָה "צְרִיכָה אֲנִי" – מַחְלִלִין עָלֶיהָ אֶת הַשַּׁבָּת, אִמְרָה "לֹא צְרִיכָה אֲנִי" – אֵין מַחְלִלִין עָלֶיהָ אֶת הַשַּׁבָּת. שְׁלֹשִׁים, אִפְּלוּ אִמְרָה "צְרִיכָה אֲנִי" – אֵין מַחְלִלִין עָלֶיהָ אֶת הַשַּׁבָּת, אֲבָל עוֹשִׂין עַל יְדֵי אַרְמָאִי.

בְּדָרְב עוֹלָא בְרִיה דְּרַב עִילָאִי, דָּאָמַר: כָּל צְרִיכָה חוּלָה נַעֲשִׂין עַל יְדֵי אַרְמָאִי בַּשַּׁבָּת. וְכַדְרַב הַמְּנוּנָא, דָּאָמַר רַב הַמְּנוּנָא: דָּבָר שֶׁאֵין בּוֹ סָכְנָה – אוֹמֵר לְגוֹי וְעוֹשֶׂה.

אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: לְחֵיָה שְׁלֹשִׁים יוֹם. לְמָאִי הִלְכְּתָא? אָמְרֵי נְהַרְדְּעִי: לְטַבִּילָהּ.

אָמַר רַבָּא: לֹא אִמְרַן אֱלָא שֶׁאֵין בְּעָלָה עֵמָה, אֲבָל בְּעָלָה עֵמָה – בְּעָלָה מִחֲמַמָּה. כִּי הָא דְּבִרְתִּיהָ דְּרַב חֲסִידָא טְבִילָה בְּגוֹ תַלְתִּין יוֹמִין שְׁלֹא בִּפְנֵי בְּעָלָה וְאַצְטְנִיאתָ, וְאַמְטוּי לְעַרְסָה בְּתֵרִיה דְּרַבָּא לְפֻמְבִּידִיתָ.

אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: עוֹשִׂין מְדוּרָה לְחֵיָה בַּשַּׁבָּת (בִּימּוֹת הַגְּשָׁמִים). סָבִיר מִיָּנָה: לְחֵיָה – אֵין, לְחוּלָה – לֹא. בִּימּוֹת הַגְּשָׁמִים – אֵין, בִּימּוֹת הַחֶמֶה – לֹא. (וְלֹא הִיא, לֹא שָׁנָא חַיָּה וְלֹא שָׁנָא חוּלָה, לֹא שָׁנָא בִּימּוֹת הַגְּשָׁמִים וְלֹא שָׁנָא בִּימּוֹת הַחֶמֶה – מִדְּאִתְמַר) אָמַר רַב חִיָּיא בַּר אֲבִין אָמַר שְׁמוּאֵל: הָקִי דָם וְנִצְטָן – עוֹשִׂין לֹא מְדוּרָה אֲפִילוּ בְּתַקּוּפַת תַּמּוּז.

With regard to the matter of the open womb, the Gemara asks: **From when is it considered that the opening of the womb has begun?**¹⁸ **Abaye says:** It begins **from when the woman sits on the travelling chair.** **Rav Huna, son of Rav Yehoshua, said:** It begins **from when the blood flows and descends; and others say when her friends need to carry her by her arms, as she can no longer walk on her own.**

The Gemara asks: **Until when does the opening of the womb continue?** **Abaye said:** It lasts **three days.** **Rava said in the name of Rav Yehuda:** It lasts **seven days.** **And others say:** It lasts **thirty days.**

The Sages of **Neḥarde'a** say: For a woman in childbirth, there are halakhic distinctions between **three, seven, and thirty** days after she gives birth.¹⁹ The Gemara elaborates: During the first **three** days after birth, **whether she said: I need Shabbat to be desecrated, or whether she did not say: I need Shabbat to be desecrated, one desecrates Shabbat for her.** Between **three and seven** days after birth, if she said: **I need Shabbat to be desecrated, one desecrates Shabbat for her.** If she did not say: **I need Shabbat to be desecrated, one does not desecrate Shabbat for her.** Between **seven and thirty** days after birth, **even if she said: I need Shabbat to be desecrated, one does not desecrate Shabbat for her; however, we perform all necessary prohibited labors by means of a gentile.**

This ruling is in accordance with the statement of **Rav Ulla, son of Rav Ilai**, who said: **All needs of a sick person whose life is not in danger are performed by means of a gentile on Shabbat.** And this ruling is in accordance with the opinion of **Rav Hamnuna**, as **Rav Hamnuna** says: With regard to a matter in which there is **no danger**,²⁰ but only potential illness, **one says to the gentile to perform the act, and the gentile performs the act.**

Rav Yehuda said that **Shmuel** said: For a woman in childbirth, there is a *halakha* of **thirty days.** The Gemara asks: **With regard to what halakha** was this stated? The Sages of **Neḥarde'a** say: It was stated **with regard to the halakha of immersion.** A woman does not purify herself through ritual immersion within thirty days of giving birth because she is in a weakened state and susceptible to catching cold.

Rava said: We say that the ruling that she does not immerse during that period applies **only when her husband is not with her.** However, if her husband is with her, her husband warms her by engaging in relations with her, and she is not susceptible to catching cold, as is illustrated in this incident involving the daughter of **Rav Ḥisda**, **Rava's** wife. She immersed within thirty days of giving birth, **not in the presence of her husband, and caught cold, and afterward they brought her funeral bier after Rava to Pumbedita.**

Rav Yehuda said that **Shmuel** said: **One builds a fire for a woman in childbirth**²¹ on Shabbat during the rainy season. The Sages thought to infer from here the following: For a woman in childbirth, yes, one builds a fire; for sick people, no, he does not build a fire. In the rainy season, yes, one builds a fire; in the summer, no, he does not build a fire. And the Gemara concludes: **That is not the case. There is no difference between a woman in childbirth and a sick person, and there is no difference between the rainy season and the summer.** In all of these cases one may build a fire on Shabbat. This conclusion emerges from that which was stated: **Rav Ḥiyya bar Avin** said that **Shmuel** said: With regard to one who let blood and caught cold, one makes a fire for him even during the season of **Tammuz**, i.e., the summer. Failure to do so could result in serious illness.

Teak [*shaga*] – שָׂאגָא: From the Sanskrit *saka*, which entered the Persian as *saj*, meaning teak tree. Aramaic may have borrowed the word from Persian.

Ebony [*yavna*] – יָוֵנָה: Apparently from the Greek *εβενος*, *ebenos*, meaning a tree of the *Diospyros* genus with dark wood. Conceivably, the original source of this word is the Hebrew word *huvanim*, meaning ebony trees.

שְׂמוּאֵל צָלְחוּ לִיָּה תַבְתְּקָא דְשָׂאגָא,
רַב יְהוּדָה צָלְחוּ לִיָּה פְתוּרָא דְיוֹנָה,
לְרַבָּה צָלְחוּ לִיָּה שְׂרָשִׁיפָא.

וְאָמַר לִיָּה אֲבִי לְרַבָּה: וְהָא קַעְבֵּר מִרְּשׁוֹם
מִשּׁוֹם "בִּלְ תַשְׁחִית!" אָמַר לִיָּה בִלְ
תַשְׁחִית דְּגוּפֵא – עֲדִיף לִי.

אָמַר רַב יְהוּדָה אָמַר רַב: לְעוֹלָם
יִמְכּוֹר אָדָם קוֹרוֹת בֵּיתוֹ וְיִקַּח
מִנְעָלִים לְרַגְלֵיו, הֲקִיז דָם וְאִין לוֹ
מָה יֵאכַל – יִמְכּוֹר מִנְעָלִים שְׂבָרְגָלֵיו
וְיִסְפִּיק מִהֶן צְרִיכָא סְעוּדָה.

מַאי צְרִיכָא סְעוּדָה? רַב אָמַר: בִּשְׂרָ,
וּשְׂמוּאֵל אָמַר: יֵין. רַב אָמַר: בִּשְׂרָ,
נִפְשָׁא חֲלָף נִפְשָׁא. וּשְׂמוּאֵל אָמַר:
יֵין, סוּמְקָא חֲלָף סוּמְקָא.

(סִימָן שְׁנַמְסָר)

שְׂמוּאֵל בְּיוֹמָא דְעֵבֶד מִלְתָּא עֲבָדִי
לִיָּה תַבְשִׁילָא דְטַחְלִי. רַבִּי יוֹחָנָן שְׁתִּי
עַד דְּנִפְקִי תַהִיָּא מֵאוּמִיָּה. וְרַב נַחֲמָן
שְׁתִּי עַד דְּקָפִי טַחְלִיָּה. רַב יוֹסֵף שְׁתִּי
עַד דְּנִפְקִי מְרִיבָדָא דְכוּסִילָתָא. רַבָּא
מִהֲדָר אַחְמָרָא בַר תַּלְתָּא טַרְפִּי.

אָמַר לְהוֹ רַב נַחֲמָן בַּר יִצְחָק לְרַבְנָן:
בְּמִטּוֹתָא מֵינִיכּוֹ, בְּיוֹמָא דְהִקְדָּה
אֲמַר לְבִיתֵיכּוֹ: נַחֲמָן אֶקְלַע לְגַבִּי.

וְכוּלְהוֹ אַעְרוּמִי אֲסִירִי, בַּר מֵהָאִי
עֲרֻמָּה דְשָׂרִי: מֵאֵן דְּעֵבִיד מִלְתָּא
וְלֹא אֶפְשָׁר לִיָּה, לִישְׁקוֹל זֹזָא מְכָא
וְלִיזִיל לְשֵׁב חֲנוּתָא, עַד דְּטַעִים
שִׁיעוֹר רַבִּיעֵתָא. וְאִי לֹא – לִיכּוֹל
שֵׁב תַמְרִי אוּכְמָתָא, וְלִישׁוֹף מִישְׁחָא
בְּצִידֵיָּה, וְנִגְנִי בְשִׁמְשָׁא.

The Gemara relates that after Shmuel underwent bloodletting, they broke for him a wooden armchair made of teak [*shaga*]¹ to build a fire. Similarly, for the sake of Rav Yehuda they broke a wooden table made of ebony [*yavna*],¹ and for Rabba they broke a bench. They needed to build a fire due to the potential danger to Rabba. Since they could not find firewood, they kindled the fire with the furniture.

And Abaye said to Rabba: In breaking the bench, didn't the Master violate the prohibition, "Do not destroy" (Deuteronomy 20:19)? It is prohibited to destroy objects of value. Rabba said to him: Do not destroy also with regard to destruction of my body. Preventing illness and danger is preferable to me.

With regard to the danger of bloodletting, the Gemara cites that which Rav Yehuda said that Rav said: One should always sell the beams of his house and purchase shoes for his feet with the proceeds, as shoes protect him from stepping on obstacles and from catching cold. If he let blood and has nothing to eat after the bloodletting, he should even sell the shoes on his feet, and from the proceeds provide the needs of a meal. After bloodletting, a meal is more crucial to one's well-being than shoes are.

The Gemara asks: What are these special needs of a meal? Rav said: It is referring to meat. And Shmuel said: It is referring to wine. The Gemara explains: Rav says: It is referring to meat because the soul replaces the soul, i.e., the meat replenishes the person's strength. And Shmuel said: It is referring to wine because the red replaces the red, i.e., red wine substitutes for red blood.

A mnemonic for the names of the Sages cited in the following discussion is the word *shenimsar*; *shin* for Shmuel, *nun* for Rabbi Yohanan, *mem* for Rav Nahman, *samekh* for Rav Yosef, *reish* for Rava.

The Gemara relates the following about bloodletting and drinking wine. Shmuel, on the day on which he would perform the practice of bloodletting,⁸ they would prepare for him a dish of cooked spleen. Rabbi Yohanan would drink wine after bloodletting until the odor emerged from his ears. And Rav Nahman would drink until his spleen floated in wine. Rav Yosef would drink until the wine would emerge from the bloodletting incision. Rava would search for wine that was sufficiently aged such that three leaves had already grown over three years on the vine from which the grapes were picked (Rashash).

Rav Nahman bar Yitzhak said to the Sages: I beg of you, on the day that you undergo bloodletting, tell your households, your wives: Nahman bar Yitzhak happened to come to visit us. Due to the visit of the important guest, the women will prepare a large meal. The husbands will eat well, recover from the lost blood, and avoid endangering themselves.

And Rav Nahman bar Yitzhak said: All types of artifice that come at the expense of others are prohibited except for this artifice,⁹ which is permitted. One who performed the practice of bloodletting and it is not possible for him to purchase food due to lack of means, let him take a worn *zuz* coin⁸ and go to seven stores. In each store, he tastes the wine as one who seeks to buy wine would. After tasting, he hands the *zuz* to the storekeeper, who will not accept it because it is worn. He then proceeds to do the same in all the stores until he has tasted the measure of a quarter of a log of wine. And if doing so is not possible, let him eat seven black dates and smear oil on his temple and lie in the sun.

NOTES

All types of artifice are prohibited except for this artifice – וְכוּלְהוֹ אַעְרוּמִי אֲסִירִי, בַּר מֵהָאִי עֲרֻמָּה דְשָׂרִי: In fact, Rav Nahman bar Yitzhak advised deviating from the truth both when he instructed that one should tell his wife that Rav Nahman bar Yitzhak would be visiting and when he recommended that a

poor person use a worn-out *zuz* to procure wine. Both situations involve serious health issues. However, only the latter deception is called artifice because it comes at the expense of another. Indeed, it is stated in the midrash that this type of behavior is characteristic of Sodom.

BACKGROUND

On the day he would perform...bloodletting – בְּיוֹמָא דְעֵבֶד מִלְתָּא עֲבָדִי: There is an element of danger involved in all bloodletting, and there were several methods undertaken to reinforce the body afterward. Eating meat in general, and eating organs from the circulatory system in particular, e.g., the spleen, is useful in restoring lost blood and replenishing hemoglobin after bloodletting. Wine accelerates circulation, as does warming oneself by a fire.

A worn *zuz* coin – וְזֹזָא מְכָא: Although the primary value of a coin in ancient times was determined by the precious metal it contained, the value of a minted coin was slightly greater in civilized states. Consequently, merchants would refuse to accept coins whose image was worn. Moreover, a worn coin weighed less.



Roman dinar whose image eroded

לֹא אֵינִי – I will not reveal this remedy to him – לִיָּה: There is an opinion that Shmuel did not want to suggest a supernatural cure, so he gave a reason based on contemporary medical science. Rather than explain only the supernatural curing power of the sun during the summer solstice, Shmuel also cited contemporary medical science and mentioned the benefit of sunlight to one whose blood has been let.

אֲבֵלֵט אֶשְׁכַּחִיהָ לְשִׁמְעוֹן דְּגִנָּה בְּשִׁמְשָׁא. אָמַר לִיָּה: חֲכִימָא דִּיהוּדָאִי! בִּישָׁא מִי הוּא טָבָא? אָמַר לִיָּה: יוֹמָא דְהַקְלָהּ הוּא.

The Gemara relates: The gentile scholar, **Ablat, found Shmuel lying in the sun. Ablat said to Shmuel: Wise man of the Jews, a matter that is evil, can it become good?** Are there any circumstances in which the heat of the sun, which is harmful, can be beneficial? **Shmuel said to him: It happens on a day of bloodletting**, for which the heat of the sun is beneficial.

וְלֹא הִיא, אֶלָּא: אֵיבָא יוֹמָא דְמַעְלֵי בָּהּ שִׁמְשָׁא בְכוּלֵיהּ שְׁתָּא – יוֹמָא דְנִפְלָהּ בֵּיהּ תְּקוּפַת תַּמּוּז, וְסָבַר: לֹא אֵינִי לִיָּה.

The Gemara comments: **And actually, that is not what occurred. Rather, there is a day on which the sun is beneficial more than the entire year, and that is the day on which the Tammuz solstice, the longest day of the year, occurs. And Shmuel thought: I will not reveal this remedy to him.**^N

(הִיכִיל בְּרוּחַ טַעַמָּא שְׁהָה סִימָן) רַב וְשִׁמְעוֹן אֲמָרִי תְרוּיָהּ: כָּל הַמְּקִיל בְּסַעֲוֹדַת הַקֶּזֶת דָּם – מְקִילִין לוֹ מִזְוֹנֹתָיו מִן הַשָּׁמַיִם. וְאִמְרִים: הוּא עַל חַיֵּי לֹא חָס, אֲנִי אָחוּס עָלָיו?

Indifferent, in wind, taste, waited are a mnemonic for the following matters. It was **Rav and Shmuel** who both said: **Anyone who is indifferent and not vigilant with regard to the meal eaten after bloodletting, they are indifferent with regard to providing his food from the Heavens. And they say in the name of Heaven: He took no pity on his life, will I take pity on him?**

רַב וְשִׁמְעוֹן אֲמָרִי תְרוּיָהּ: הָאִי מֵאֵן דְּעֵבִיד מִלְּתָא לֹא לִיתֵיב הִכָּא דְכָרִיךְ וִיקָא, דִּילְמָא שְׁפִי לִיָּה אִומָנָא וּמוֹקִים לִיָּה אֲרִבֵּיעָתָא. וְאִתִּי וִיקָא וְשִׁאִין מִיָּנִיָּה – אֲתִי לִידֵי סַבְנָה.

Similarly, it was **Rav and Shmuel** who both said: **One who performs the practice of bloodletting should not sit where the wind is blowing, due to the concern that perhaps the blood letter let too much blood from him and established the amount of remaining blood at a quarter of a log. And there is concern the wind will come and draw out a little more blood from him, and he will be endangered.**

שִׁמְעוֹן הָדָה רָגִיל וְעָבַד מִלְּתָא בְּבֵיתָא דְשִׁבְּ לְבִינָא וְאֲרִיחָא. יוֹמָא חֲדָא עָבַד, וְאֲרִישׁ בְּנַפְשִׁיהּ. בְּדִק, וְחָסַר חֲדָא אֲרִיחָא.

The Gemara relates: **Shmuel would customarily perform the practice of bloodletting in a house whose walls were seven and a half bricks thick. One day he performed bloodletting and felt himself weakened. He examined and discovered that one half-brick was lacking from the thickness of the walls. The resultant chill caused his weakness.**

רַב וְשִׁמְעוֹן אֲמָרִי תְרוּיָהּ: הָאִי מֵאֵן דְּעֵבִיד מִלְּתָא – לִטְעוּם מִיָּדִי וְהָדָר לִפּוּק, דָּאִי לֹא טַעִים מִיָּדִי, אִי פָּגַע בְּשִׁכְבָּא – יוֹקָא אִפִּיָּה, אִי פָּגַע בְּמֵאֵן דְּקִטְלָא נִפְשָׁא – מִית, אִי פָּגַע

It was **Rav and Shmuel** who both said: **One who performs the practice of bloodletting should taste something and then go outside, since if he does not taste anything, if he encounters a corpse, his face will turn green. If he encounters one who killed a person, he will die. If he encounters**

Perek XVIII

Daf 129 Amud b

בְּדָבָר אַחֵר – קֶשֶׁה לְדָבָר אַחֵר.

something else, a euphemism for a pig, it is harmful with regard to something else, a euphemism for leprosy.

רַב וְשִׁמְעוֹן אֲמָרִי תְרוּיָהּ: הָאִי מֵאֵן דְּעֵבִיד מִלְּתָא – לִישָׁהּ מוֹרְתָא וְהָדָר לִיקוּם. דָּאִמְרַ מִּר: חֲמִשָּׁה דְּבָרִים קְרוּבִין לְמִיתָה יוֹתֵר מִן הַחַיִּים, וְאֵלּוּ הֵן: אָכַל וְעָמַד, שָׁתָה וְעָמַד, יָשָׁן וְעָמַד, הִקִּין דָּם וְעָמַד, שִׁימֵשׁ מִטָּוֶה וְעָמַד.

It was **Rav and Shmuel** who both said: With regard to **one who performs the practice of bloodletting, let him wait a bit and then let him rise**,^H as the Master said: **There are five matters that render one closer to death than life, and they are these: If one ate and immediately rose,^H if one drank and rose, if one slept and immediately rose, if one let blood and rose, if one engaged in conjugal relations and rose.**^H

אָמַר שִׁמְעוֹן: פּוֹרְסָא דְדָמָא – כָּל תַּלְתִּין יוֹמִין. וְבֵין הַפְּרָקִים – יָמַעַט, וְבֵין הַפְּרָקִים – יַחְזוֹר וְיָמַעַט.

Shmuel said: The interval for bloodletting^N is every thirty days. And during the middle periods of one's life, he should decrease the frequency of bloodletting; and during the later periods, he should decrease its frequency again.

וְאָמַר שִׁמְעוֹן: פּוֹרְסָא דְדָמָא – חֲדָא בְּשַׁבָּתָא, אַרְבַּעָה וּמַעְלֵי שַׁבָּתָא. אֲבָל שְׁנֵי וַחֲמִישִׁי – לֹא, דָּאִמְרַ מִּר: מִי שֵׁישׁ לוֹ זְכוּת אָבוֹת – יִקִּין דָּם בְּשְׁנֵי וּבְחִמִּישִׁי, שְׁבִיט דִּין שָׁל מַעְלָה וְשָׁל מַטָּה שְׁוִין בְּאַחַד.

And Shmuel said: The times for bloodletting are the first day of the week, the fourth day of the week and Shabbat eve. However, on the second and the fifth days of the week, no, one should not let blood, as the Master said: Only one who has the merit of his ancestors and relies on it should let blood on the second and on the fifth days of the week, as the court on High, in the heavens, and the court below are equal. The courts in the cities convene on Mondays and Thursdays, as does the heavenly court. Letting blood on a day of judgment is dangerous. If one is judged unfavorably all his blood could flow out.

HALAKHA

Precautions in bloodletting – פְּרִיעוּת בְּהַקְלָה: One must make certain after bloodletting not to enter a bathhouse and to eat and keep warm (Rambam *Sefer HaMadda, Hilkhot Deot* 4:18).

קְרוּבִין לְמִיתָה... אָכַל וְעָמַד: One should refrain from exertion immediately after eating because exertion could make him ill (Rambam *Sefer HaMadda, Hilkhot Deot* 4:3).

Engaged in conjugal relations and rose – שִׁימֵשׁ מִטָּוֶה וְעָמַד: A person should not engage in conjugal relations after bloodletting, nor engage in any other strenuous activity, as per the *baraita* (Rambam *Sefer HaMadda, Hilkhot Deot* 4:19; *Shulhan Arukh, Orah Hayyim* 240:15).

NOTES

The interval for bloodletting – פּוֹרְסָא דְדָמָא: In accordance with an ancient tradition, Rabbeinu Hananel explains the phrase: During the periods, as follows: When one turns fifty, he should minimize bloodletting to once every two or three months. When he grows older, he should let blood only once every six months or every year.

Mars is dominant during the even hours – מאדים: Since the planet Mars is a symbol of calamity and bloodshed and even numbers are also considered dangerous, the Sages warned that a person should not let blood at a time when those two factors coincide. See the table on p. 420, which indicates the concern is only about hours when bloodletting is regularly performed, not at night.

One hundred bloodlettings [karei] for a zuz – מאה קרי בוזא: Rashi offers a different explanation, by which *karei* means gourds. This is connected to the previous statement that certain foods enhance one's strength and increase one's blood supply. The Gemara teaches that there is little benefit from eating gourds, animal heads, and animal lips.

Insulate the placenta – טומנן השליא: In the Jerusalem Talmud, the explanation is that they would bury the placenta as a talisman, to reassure the earth that all those born will ultimately return. Since it is prohibited to dig on Shabbat, they would temporarily insulate it in something else.

BACKGROUND

The intervals for bloodletting – זמני הקות דם: Throughout history bloodletting was a significant medical procedure, eliminating harmful materials from the body, as well as draining superfluous blood to treat high blood pressure. However, there is an inherent danger in bloodletting, especially when blood is let from elderly people, whose blood does not replenish quickly. Therefore, Shmuel established the times for bloodletting.

And one may tie the umbilical cord of a child born on Shabbat – וקושרין הטבור: The umbilical cord is tied after it is cut to prevent additional bleeding and the spread of infection through the open wound. Apparently, the Sages permitted tying a cut umbilical cord, and they only disagreed in a case where, for some reason, the cord remained intact.

HALAKHA

Times for bloodletting – זמני הקות: It is customary to refrain from bloodletting on a Festival eve (*Shulhan Arukh, Orach Hayyim* 468:10 in the comment of the Rema).

בתלתא בשבתא מאי טעמא לא – משום דקיימא ליה מאדים בוזא, מעלי שבתא נמי קיימא בוזא! כיון דדשו ביה רבים – שומר פתאים ה'."

אמר שמואל: ארבעה דהוא ארבעה, ארבעה דהוא ארביסר, ארבעה דהוא עשרים וארבעה, ארבעה דליכא ארבע בתריה – סכנתא.

ראש חודש ושני לו – חולשא, שלישי לו – סכנה; מעלי יומא טבא – חולשא, מעלי יומא דעצרתא – סכנתא. וגורו רבנן אכולהו מעלי יומא טבא משום יומא טבא דעצרת. דנפק ביה זיקא ושמייה טבוח – דאי לא קבלו ישראל תורה – הוה טבח להו לבשריהו ולדמיהו.

אמר שמואל: אכל חטה והקי דם לא הקי אלא לאותה חטה והני מילי – לרפואה, אכל לאוקולי – מיקיל.

המקין דם, שתיה – לא לתר, אכילה עד חצי מיל.

איבעיא להו: "שתיה לא לתר" מעלי, אבל בתר קי – קשי, או דילמא: לא קשי ולא מעלי? תיקו.

איבעיא להו: "אכילה עד חצי מיל" הוא דקמעלי, הא בתר קי ומקמי קי – קשי, או דילמא: לא קשי ולא מעלי? תיקו.

מכרין רב: מאה קרי – בוזא, מאה רישי – בוזא, מאה שפמי – ולא כלום. אמר רב יוסף: כי הוין בי רב הונא, יומא דמפגרי ביה רבנן אמרי "האידנא יומא דשפמי הוא" ולא ידענא מאי קאמרי.

"וקושרין הטבור". תנו רבנן: קושרין הטבור, רבי יוסי אומר: אף חותכין, וטומנן השליא כדי שיחם הולד. אמר רבן שמעון בן גמליאל: בנות מלכים טומנות בספלים של שמן, בנות עשירים בספוגים של צמר, בנות עניים במוכין.

The Gemara explains: On the third day of the week, what is the reason that one does not let blood? It is because the planet Mars is dominant during the even hours.^N Since it is a planet of blood, and the even hours are a bad omen, that combination gives cause for concern. The Gemara asks: On Shabbat eve, Mars also dominates during the even hours. The Gemara answers: Since the multitudes have already become accustomed to letting blood on Shabbat eve, the verse: "The Lord protects the simple-hearted" (Psalms 116:6) applies in this case.

Similarly, Shmuel says: On the fourth day of the week that is the fourth day of the month; on the fourth day of the week that is the fourteenth of the month; on the fourth day of the week that is the twenty-fourth of the month; and on the fourth day of the week after which there are not four days remaining in the month it is dangerous to let blood.⁵

Bloodletting on the New Moon and on the second day of the month causes weakness; bloodletting on the third day of the month leads to danger. Bloodletting on the eve of a Festival causes weakness; bloodletting on the eve of the festival of *Shavuot* leads to danger. And the Sages issued a decree prohibiting bloodletting on the eve of every Festival due to the festival of *Shavuot*.^H On *Shavuot*, an evil spirit named *Tibbuaḥ*, from the Hebrew word meaning slaughter, emerges, as had the Jewish people not accepted the Torah on the festival of *Shavuot*, *Tibbuaḥ* would have slaughtered their flesh and their blood. Consequently, it remains a dangerous day.

Shmuel said: If one ate wheat and afterward let blood, he only let that wheat. The bloodletting was ineffective as the wheat replaced any blood that was let. And this ineffectiveness applies only if he let blood to cure an illness; however, to relieve discomfort, bloodletting after eating wheat relieves one's discomfort.

One who lets blood should engage in drinking immediately; he should not engage in eating until the time that it takes to walk half a *mil* has elapsed.

A dilemma was raised before the Sages: When they said that one should engage in drinking immediately, does that mean that drinking immediately is beneficial; however, thereafter, it is injurious? Or perhaps, thereafter it is neither injurious nor beneficial. No resolution is found for this dilemma, therefore it stands unresolved.

Similarly, a dilemma was raised before the Sages: When they said one should not engage in eating until the time that it takes to walk half a *mil* has elapsed, does that mean that only at that time it is beneficial, however, after that time or before that time it is injurious? Or perhaps, before and after that time it is neither injurious nor beneficial. No resolution is found for this dilemma, therefore it too stands unresolved.

Rav would announce: One hundred bloodlettings for a *zuz*;^N cutting the hair on one hundred heads for a *zuz*; grooming one hundred moustaches does not cost anything (*ge'onim*). Blood letters typically served as barbers as well and did not charge for grooming a moustache. If one hundred men happened to arrive one day to have their moustaches groomed, the barber would work all day without receiving any pay. Rav Yosef said: When we were students in Rav Huna's school, on a day when the Sages were sluggish in their studies, they would say: Today is the day of the moustaches, and I did not know what they were saying. Now that I heard Rav's statement, I understand that they meant that it was a day without purpose.

We learned in the mishna: And one may tie the umbilical cord of a child born on Shabbat.^B The Sages taught similarly in the *Tosefta* and even added to it: One may tie the umbilical cord of a child born on Shabbat. Rabbi Yosei said: One may even cut the umbilical cord. And one may insulate the placenta^N as a healing remedy so as to warm the newborn. Rabban Shimon ben Gamliel said: Princesses insulate the placenta in mugs of oil; the daughters of the wealthy do so in combed wool; the daughters of the poor in soft rags.

Everything stated in the passage of rebuke one may perform for a woman in childbirth on Shabbat – כל האמור בפרשת תוכחה עושין לחיה בשבת: All the needs of a child born on Shabbat are met: The umbilical cord is cut and the child is washed and rubbed with salt, in accordance with the statement of Rav (Rambam *Sefer Zemanim, Hilkhot Shabbat* 2:11; *Shulhan Arukh, Orach Hayyim* 330:7).

אמר רב נחמן אמר רבה בר אבוא אמר רב: הלכה כרבי יוסי.

ואמר רב נחמן אמר רבה בר אבוא אמר רב: מודים חכמים לרבי יוסי בטבור של שני תינוקות שחובתין, מאי טעמא – דמנתחי אהדדי.

ואמר רב נחמן אמר רבה בר אבוא אמר רב: כל האמור בפרשת תוכחה עושין לחיה בשבת, שנאמר: "ומולדותיך ביום הולדת אותך לא כרת שרך ובמים לא רחצת למשעי והמלח לא המלחת והחתלת לא חתלת".

"ומולדותיך ביום הולדת" – מכאן שמיילדים את הולד בשבת, "לא כרת שרך" – מכאן שחובתין הטבור בשבת, "ובמים לא רחצת למשעי" – מכאן שרוחצין הולד בשבת, "והמלח לא המלחת" – מכאן שמולחין הולד בשבת, "והחתלת לא חתלת" – מכאן שמלפפין הולד בשבת.

הדרן עלך מפנין

Rav Nahman said that Rabba bar Avuh said that Rav said: The *halakha* is in accordance with the opinion of Rabbi Yosei that it is even permitted to cut the umbilical cord on Shabbat.

And Rav Nahman said that Rabba bar Avuh said that Rav said: The Rabbis concede to Rabbi Yosei with regard to the umbilical cord attached to twin babies that one may cut it on Shabbat. What is the reason for this? In that case, leaving the cord attached is dangerous. Since the attached twins will try to disengage from each other, they could potentially rip each other's cords.

And Rav Nahman said that Rabba bar Avuh said that Rav said: Everything stated in the passage of rebuke (Ezekiel 16) one may perform for a woman in childbirth on Shabbat.¹⁴ Since that chapter speaks of the dangerous birth of an abandoned child, for all other children, these issues should be addressed. As it is stated there: "And as for your birth, on the day you were born, your navel was not cut, and you were not washed in water for cleansing, and you were not salted, nor were you swaddled" (Ezekiel 16:4).

The Gemara explains: "And as for your birth, on the day you were born"; from here it is derived that one delivers the newborn on Shabbat. "Your navel was not cut"; from here it is derived that one cuts the umbilical cord on Shabbat. "And you were not washed in water for cleansing"; from here it is derived that one washes the newborn on Shabbat. "And you were not salted"; from here it is derived that one salts the newborn on Shabbat. "Nor were you swaddled"; from here it is derived that one swaddles the newborn on Shabbat.

Summary of Perek XVIII

This chapter continued the discussion of the *halakhot* of items that have been set aside from Shabbat use. Until this chapter, the Gemara primarily addressed the laws of utensils that have been set aside from Shabbat use, whereas this chapter addressed the quite different laws of raw materials and other items that are not utensils. Since utensils by definition are made to be used, it is necessary to decide explicitly or implicitly not to use them in order to remove them from the category of items designated for use on Shabbat. In contrast, raw materials are not inherently considered ready for use, and one must explicitly designate them for use to ensure that they are not set-aside [*muktze*]. In this chapter, we saw how the Sages acted with regard to this issue and how they determined which items are permitted or forbidden to be handled.

The Gemara also established guidelines with regard to the application of the laws of *muktze* to the care of animals on Shabbat. When an animal is likely to suffer pain due to a prohibition of rabbinic origin, that prohibition is overridden in order to care for the animal, as cruelty to animals is itself a Torah prohibition. In this area, loss of money to the animal's owner is not a significant factor.

Finally, this chapter discussed the permissible methods of attending to the sick on Shabbat. First it addressed the case of a woman after childbirth, and then it proceeded to address the laws of treating people with other ailments. The *halakha* distinguishes between different levels of illness. Whenever there is a danger to life, no distinction is made between Torah law and rabbinic law; it is permitted to do whatever is necessary to save a person's life. However, the *halakha* is somewhat more stringent when there is only a concern for possible danger, or when the patient feels that his life is in danger but the expert doctors testify otherwise.

It is important to note that the *halakha* also takes into account the patient's feelings. The Sages were concerned that the patient's anxiety could cause his condition to deteriorate and become life-threatening. They therefore permitted preparing things for a patient in order to calm him, and under certain conditions they even permitted the performance of labors prohibited by Torah law.

The Sages agreed in this chapter that a newborn and a woman after childbirth are included in the category of the dangerously ill for the first few days after birth. Any medical attention they need immediately after childbirth is considered to be a medical procedure undertaken in order to save a life, and those caring for them may take all necessary measures without concern for any prohibitions that would otherwise apply.

Introduction to Perek XIX

And God said to Abraham: And as for you, you shall keep My covenant; you, and your seed after you throughout their generations. This is My covenant which you shall keep, between Me and you and your seed after you: every male among you shall be circumcised. And you shall be circumcised in the flesh of your foreskin; and it shall be a token of a covenant between Me and you. And he that is eight days old shall be circumcised among you, every male throughout your generations, he that is born in the house, or bought with money of any foreigner, that is not of your seed. He that is born in your house, and he that is bought with your money, must be circumcised; and My covenant shall be in your flesh for an everlasting covenant. And the uncircumcised male who is not circumcised in the flesh of his foreskin, that soul shall be cut off from his people; he has broken My covenant.

(Genesis 17:9–14)

Speak to the children of Israel, saying: If a woman bears seed and gives birth to a male, she shall be unclean seven days; as in the days of the impurity of her sickness shall she be unclean. And on the eighth day the flesh of his foreskin shall be circumcised.

(Leviticus 12:2–3)

The Sages received an oral tradition that the mitzva of circumcision overrides Shabbat when it is performed at its proper time, on the eighth day after birth. Although all the Sages accepted this tradition, they disputed many details of its application. Such details include the handling of borderline cases, the precise definitions of the act of circumcision, and the actions necessary for its performance.

Several issues arise with regard to circumcision on Shabbat. The first question pertains to situations in which it is not entirely clear whether there is a mitzva to circumcise the child or whether the proper time for circumcision has arrived. Some Sages are of the opinion that circumcision overrides Shabbat only if there is absolutely no doubt as to its obligation. Others hold that in some circumstances an uncertain obligation to circumcise does override Shabbat, and these Sages debate which conditions are required.

Another issue is whether the preparations for circumcision override Shabbat. The medical attention the baby will require immediately after the circumcision does override Shabbat, as his life could be endangered if he does not receive it. The Sages consider whether actions to prepare for the circumcision, such as bringing the knife and preparing it for use, also override Shabbat, and if so, which preparations are considered essential in this regard.

A more fundamental question that arises is whether circumcision is the only mitzva that overrides Shabbat prohibitions or whether all mitzvot override Shabbat if the optimal time for their performance occurs on Shabbat. If there are distinctions between different mitzvot, what are the reasons for these distinctions?

Another essential issue pertains to how broadly circumcision overrides Shabbat. Does circumcision override Shabbat at every stage of the operation no matter how it is performed, and is anyone involved in circumcision exempt from Shabbat prohibitions? Or perhaps circumcision overrides Shabbat only when one completes the mitzva properly and in its entirety? To address these questions it becomes necessary to clarify the scope of the mitzva and to identify its obligatory components.

מתני' רבי אליעזר אומר: אם לא הביא כלי מערב שבת – מביא בשבת מגולה. ובספנה מכסהו על פי עדים.

ועוד אמר רבי אליעזר: בורתים עיצים לעשות פחמין לעשות (כלי) ברזל.

כלל אמר רבי עקיבא: כל מלאכה שאפשר לעשותה מערב שבת – אינה דוחה את השבת, (ומילה) שאי אפשר לעשותה מערב שבת – דוחה את השבת.

גמ' איבעיא להו: טעמא דרבי אליעזר משום חבובי מצוה, או דילמא משום חשדא? למאי נפקא מינה? לאתווי מכוסה על פי עדים. אי אמרת משום חבובי מצוה, מגולה – אין, מכוסה – לא. אלא אי אמרת משום חשדא – אפילו מכוסה שפיר דמי. מאי?

איתמר, אמר רבי לוי: לא אמרה רבי אליעזר אלא לחבובי מצוה. תניא נמי הכי: מביא מגולה, ואין מביא מכוסה, דברי רבי אליעזר. אמר רב אשי: מתניתין נמי דיקא, דקתני: ובשעת הספנה מכסהו על פי עדים, בספנה – אין, שלא בספנה – לא. שמע מינה: משום חבובי מצוה: שמע מינה.

תניא אידך: מביא מגולה ואין מביא מכוסה, דברי רבי אליעזר. רבי יהודה אמר משום רבי אליעזר: נוהגין היו בשעת הספנה שהיו מביאין מכוסה על פי עדים.

איבעיא להו: עדים דקאמר – איהו וחד, או דילמא: הוא ותרי?

MISHNA As a continuation to the discussion at the end of the previous chapter, which mentioned circumcision in the context of a discussion of the *halakhot* of childbirth on Shabbat, the mishna continues to address the *halakhot* of circumcision. **Rabbi Eliezer says: If he did not bring an implement for circumcising the child on Shabbat eve, he brings it on Shabbat itself uncovered** so that it will be clear to all that he is bringing a circumcision scalpel. **And in times of danger**, when decrees of persecution prohibit Jews from circumcising their children, **one covers it in the presence of witnesses** who can testify that he transported the scalpel to perform a mitzva.

And furthermore, Rabbi Eliezer said with regard to this issue: **One may even cut down trees to prepare charcoal in order to fashion iron tools for the purpose of circumcision.**

Rabbi Eliezer's approach was not universally accepted, and a principle was stated by Rabbi Akiva: **Any prohibited labor that can be performed on Shabbat eve^h does not override Shabbat**, including transporting the circumcision scalpel. However, any prohibited labor involved in the mitzva of **circumcision itself that cannot be performed on Shabbat eve overrides Shabbat.**

GEMARA A dilemma was raised before the Sages: Is the reason for Rabbi Eliezer's opinion that the scalpel must be uncovered **due to affection for the mitzva** and the desire to publicize it, **or perhaps it is due to avoiding suspicion?** The Gemara asks: **What practical difference is there between the two reasons suggested for Rabbi Eliezer's opinion?** The Gemara answers: The difference is with regard to the question of whether or not it is permitted to **bring the scalpel covered in the presence of witnesses** who are aware that one is bringing the scalpel for the purpose of circumcision. **If you say the reason is due to affection for the mitzva**, then if it is **uncovered, yes**, there is a display of affection for the mitzva. If it is **covered, no**, there is no display of affection. **However, if you say the reason for this ruling is due to avoiding suspicion, even if it is covered he may well do so**, because the witnesses are aware that a circumcision will be performed. **What is the resolution of this dilemma?**

It was stated that Rabbi Levi said: **Rabbi Eliezer only stated this ruling to express affection for the mitzva.** That opinion was also taught in a *baraita*: If a child is to be circumcised on Shabbat and they failed to bring the scalpel on Shabbat eve, **one brings it on Shabbat uncovered**, but **he does not bring it covered**; this is the statement of Rabbi Eliezer. Rav Ashi said: The language of the mishna is also precise in support of this opinion, as it teaches: **And in a time of danger he covers it in the presence of witnesses.** By inference, in a time of **danger, yes**, he covers it; when it is **not a time of danger, no**, he does not cover it. **Conclude from this that the scalpel is uncovered due to affection for the mitzva.** The Gemara states: **Indeed, conclude from this.**

It was taught in another *baraita*: **He brings the scalpel uncovered**, and **he does not bring it covered**; this is the statement of Rabbi Eliezer. Rabbi Yehuda says in the name of Rabbi Eliezer: **In a time of danger they would customarily bring the scalpel covered in the presence of witnesses.**

With regard to these witnesses, a dilemma was raised before the Sages: **The necessary witnesses that he is saying**, do they include **he who is bringing the scalpel and one other witness?** **Or perhaps they include he who brought the scalpel and two other witnesses to testify on his behalf.**

HALAKHA

Any prohibited labor that can be performed on Shabbat eve, etc. – **מלאכה שאפשר לעשותה מערב – שבת וכו'**: Preparations for a circumcision that can be performed before Shabbat do not override Shabbat prohibitions. This includes prohibitions instituted by the Sages. Consequently, if a scalpel for circumcision was not brought before Shabbat, it is prohibited to carry it from one domain to another, and the circumcision is not performed. It is even prohibited to transport the knife in a manner prohibited by rabbinic decree, as the Sages instituted their ordinances to parallel Torah law. It is permitted to ask a gentile to bring the knife if he can transport it in a manner prohibited by rabbinic decree but not one that violates Torah law, in accordance with the opinion of Rabbi Akiva (Rambam *Sefer Ahava*, *Hilkhot Mila* 2:6, 9; *Shulhan Arukh*, *Orah Hayyim* 331:6 and *Yoreh De'a* 266:2, 5).

Peacock [tavsa] – טָוּסָא: From the Greek ταῦς, *taos*, referring to the bird known in Modern Hebrew as *tavas*. The Hebrew word is a cognate of the Aramaic *tavsa*, which is a peacock.

תָּא שְׁמַע: ובספֿנה מְכַסְּהוּ עַל פִּי עֵדִים, אִי אִמְרַת בְּשִׁלְמָא הוּא וְתָרִי – שְׁפִיר, אֶלָּא אִי אִמְרַת הוּא וְחָד – מַאי עֵדִים? שְׂרָאוּיִם לְהָעִיד בְּמָקוֹם אַחֵר.

“וְעוֹד אָמַר רַבִּי אֱלִיעֶזֶר.” תָּנוּ רַבָּנִן: בְּמָקוֹמוֹ שֶׁל רַבִּי אֱלִיעֶזֶר הָיוּ בּוֹרְתִין עֲצִים לַעֲשׂוֹת פְּחָמִין לַעֲשׂוֹת בְּרוֹז בַּשָּׁבֶת. בְּמָקוֹמוֹ שֶׁל רַבִּי יוֹסִי הַגִּלְלִי הָיוּ אוֹכְלִין בֶּשֶׂר עוֹף בְּחֶלֶב.

לֵוי אִיקָלַע לְבֵי יוֹסֵף וְיִשְׁבָּא קְרִיבוֹ לֵיהּ וַיֵּשֶׂא דְטוֹסָא בְּחֶלֶב לֹא אָכַל כִּי אֲתָא לְקַמְיָה דְּרַבִּי אָמַר לֵיהּ: אֲמַאי לֹא תִשְׁמַתִּינְהוּ? אָמַר לֵיהּ: אֲתֵרִיָּה דְּרַבִּי יְהוּדָה בֶּן בִּתְיָרָה הוּא, וְאֲמִינָא: דִּילְמָא דְרַשׁ לָהּ כְּרַבִּי יוֹסִי הַגִּלְלִי.

דְּתַנְּנָן, רַבִּי יוֹסִי הַגִּלְלִי אוֹמֵר: נֶאֱמַר “לֹא תֹאכְלוּ כָּל נֶבֶלָה” וְנֶאֱמַר “לֹא תִבְשֹׁל גְּדִי בְּחֶלֶב אִמּוֹ” אֵת שְׂאִסוֹר מִשּׁוּם נֶבֶלָה – אִסוֹר לְבָשֵׁל בְּחֶלֶב, עוֹף שְׂאִסוֹר מִשּׁוּם נֶבֶלָה יֻכּוֹל יִהְיֶה אִסוֹר לְבָשֵׁל בְּחֶלֶב – תִּלְמוּד לֹמַר “בְּחֶלֶב אִמּוֹ” – יֵצֵא עוֹף שְׂאִין לֹ חֶלֶב אִם.

אָמַר רַבִּי יִצְחָק: עִיר אַחַת הָיְתָה בְּאַרְץ יִשְׂרָאֵל שֶׁהָיוּ עוֹשִׂין כְּרַבִּי אֱלִיעֶזֶר, וְהָיוּ מֵתִים בּוֹמְנִין. וְלֹא עוֹד אֶלָּא שְׁפַעַם אַחַת גְּזֵרָה מַלְכוּת הִרְשָׁעָה גְּזֵרָה עַל יִשְׂרָאֵל עַל הַמִּלָּה, וְעַל אוֹתָהּ הָעִיר לֹא גְּזֵרָה.

Come and hear a resolution to this dilemma from the language of the mishna, which stated: **And in times of danger he covers it in the presence of witnesses. Granted, if you say it is referring to him and two other witnesses, it works out well; the wording is appropriate. However, if you say it is referring to him and one other witness, what is to be made of the use of the term witnesses in the plural when there is only one other witness?** The Gemara refutes this proof: They may still be called witnesses, in the plural, because **they**, i.e., he and the other witness, **are fit to testify elsewhere.**^N

We learned in our mishna: **And furthermore, Rabbi Eliezer said:** One may even cut down trees to prepare charcoal for the purpose of circumcision on Shabbat. With regard to this issue, **the Sages taught in a baraita:** **In the locale of Rabbi Eliezer,**^N where they would follow his ruling, **they would even cut down trees on Shabbat to prepare charcoal from it in order to fashion iron tools with which to circumcise a child on Shabbat.** On a related note, the *baraita* relates: **In the locale of Rabbi Yosei HaGelili they would eat poultry meat in milk**, as Rabbi Yosei HaGelili held that the prohibition of meat in milk does not include poultry.

The Gemara relates: **Levi happened to come to the house of Yosef the hunter. They served him the head of a peacock [tavsa]¹ in milk and he did not eat. When Levi came before Rabbi Yehuda HaNasi, the latter said to him: Why did you not excommunicate these people who eat poultry in milk, contrary to the decree of the Sages? Levi said to him: It was in the locale of Rabbi Yehuda ben Beteira, and I said: Perhaps he taught them that the halakha is in accordance with the opinion of Rabbi Yosei HaGelili, who permits the eating of poultry meat in milk. Given the possibility that their rabbi rules that it is permitted, I cannot come and prohibit it, and I certainly cannot excommunicate them for it.**

As we learned in a mishna, **Rabbi Yosei HaGelili says: It is stated in the verse: “You shall not eat anything that dies of itself; to the stranger at your gates you may give it, that he may eat it; or you may sell it to a foreigner; for you are a holy people to the Lord your God” (Deuteronomy 14:21), and it is stated later in the same verse: “You shall not cook a kid in its mother’s milk.”** From the juxtaposition of the two issues it is derived: **That which is prohibited due to the prohibition against eating an unslaughtered animal, it is prohibited to cook it in milk.** The prohibition against cooking a creature in milk is not limited to only a kid. If so, with regard to **poultry, which is prohibited due to the prohibition against eating an unslaughtered animal, I might have thought it should be prohibited to cook it in milk; therefore, the verse states: “In its mother’s milk.”** This excludes poultry, which does not have mother’s milk and is therefore not included in the prohibition.^N

Rabbi Yitzhak said: There was one city in Eretz Yisrael where they would act in accordance with the opinion of Rabbi Eliezer with regard to circumcision, and they would die at their appointed time and not earlier, as a reward for their affection for this mitzva. And not only that, but on one occasion the wicked empire, Rome, issued a decree against the Jewish people prohibiting circumcision; but against that city it did not issue the decree.

NOTES

שְׂרָאוּיִם לְהָעִיד בְּמָקוֹם – Because they are fit to testify elsewhere – אַחֵר: The Gemara teaches here that, even according to the opinion that one other witness is sufficient, the person who brings the scalpel and the witness must both be valid witnesses. The second person must not be a disqualified witness or a relative of the person who brings the scalpel, as relatives cannot testify together (Rashash; Rabbi Eliezer Moshe Horowitz).

בְּמָקוֹמוֹ שֶׁל רַבִּי אֱלִיעֶזֶר – *Tosafot* explain that in Rabbi Eliezer’s locale people would deliberately place themselves in situations where they were required to cut wood on Shabbat to display their affection for the mitzva of cir-

cumcision. Although this ruling was not accepted as normative, the Sages praised the people of that locale, who were rewarded for their meticulousness in observing this mitzva.

בֶּשֶׂר בְּחֶלֶב – *Meat in milk*: The basic details of this *halakha* appear in tractate *Hullin*, where a variety of derivations are cited in order to establish the parameters of this prohibition, which includes cooking meat and milk together as well as eating and benefiting from that combination. The halakhic conclusion is that the Torah does not prohibit cooking poultry in milk. Nevertheless, the Sages issued a decree prohibiting it, lest one come to confuse poultry meat with meat of an animal.

Every mitzva that the Jews accepted upon themselves with joy, such as circumcision, etc. – כל מצוה – כל מצוה עליהם בשמחה בגון מילה וכו' שְׂקִיבְלוּ עֲלֵיהֶם: It is customary to mark a circumcision with a celebratory meal. This custom is mentioned in several midrashic sources, and one can glean support for this notion from the Gemara here, which comments that the mitzva is performed with joy (*Shulḥan Arukh, Yoreh De'a* 265:12).

NOTES

Such as circumcision, as it is written: "I rejoice at Your word" – גִּגֹּן מִלָּה, דְּכָתִיב "שֶׁשׁ אֲנִי עַל אִמְרָתְךָ" – Both Rashi and *Tosafot* explain how this verse is interpreted as referring to circumcision. Rav Hai Gaon explains that it is derived by means of a verbal analogy: This verse reads: "I rejoice at Your word" (Psalms 119:162), while another verse states: "For they have observed Your word and kept Your covenant" (Deuteronomy 33:9). The parallel formulation of these two verses indicates that the subject of the verse in Psalms is also a covenant, the covenant of circumcision.

תנא, רבן שמעון בן גמליאל אומר: כל מצוה שקיבלו עליהם בשמחה בגון מילה, דכתיב "שש אנכי על אמרתך במוצא שלל רב" – עדיון עושין אותה בשמחה, וכל מצוה שקבלו עליהם בקטטה, בגון עריות – דכתיב "וישמע משה את העם בוכה למשפחותיו" על עסקי משפחותיו – עדיון עושין אותה בקטטה, דליכא כתובה דלא רמו בה תיגרא.

Apropos affection for the mitzva of circumcision, the Gemara cites a *baraita* in which it was taught that Rabban Shimon ben Gamliel says: Every mitzva that the Jews initially accepted upon themselves with joy, such as circumcision,¹ as it is written: "I rejoice at Your word" as one who finds great spoil" (Psalms 119:162), and as the Sages explained, this "word" refers to the mitzva of circumcision, over which they rejoiced, they still perform it with joy. And every mitzva that the Jews initially accepted upon themselves with contentiousness and regret, such as the prohibition against incestuous relations, as it is written: "And Moses heard the people weeping, family by family" (Numbers 11:10), and as the Sages interpreted homiletically: They wept over matters pertaining to their families, as they were prohibited at that time from marrying family members, they still perform with contentiousness. The fact is that there is no marriage contract and wedding in which contentiousness does not arise, as there is inevitably some conflict between the parties. The *baraita* asserts that this is because, initially, the Jews did not accept the laws governing marriage and family relationships willingly.

תנא, רבי שמעון בן אלעזר אומר: כל מצוה שמסרו ישראל עצמן עליהם למיתה בשעת גזרת המלכות, בגון עבודה זרה ומילה – עדיון היא מוחזקת בידם, וכל מצוה שלא מסרו ישראל עצמן עליה למיתה בשעת גזרת המלכות, בגון תפילין – עדיון היא מרופה בידם.

It was taught in a *baraita* that Rabbi Shimon ben Elazar says in praise of the observance of the mitzva of circumcision: Any mitzva for which the Jews sacrificed their lives at the time of the decrees of the wicked empire, such as the prohibition of idolatry and the mitzva of circumcision, is still steadfastly observed. And any mitzva for which the Jews did not sacrifice their lives at the time of the decrees of the wicked empire, such as phylacteries, is still casually observed, meaning that they are not as careful in its fulfillment as they should be.

דאמר רבי ינאי: תפילין צריכין גוף נקי כאלישע בעל כנפים. מאי היא? אמר אבוי: שלא יפח בהם, רבא אמר: שלא יישן בהם.

The Gemara cites proof that the mitzva of phylacteries was not fulfilled properly at the time of the decrees, based upon an incident related to the following *halakha*. As Rabbi Yannai said: Donning phylacteries requires a clean body like that of Elisha, Man of Wings. What is included in the requirement to have a clean body? Abaye said: That one may not pass wind in them. Rava said: That one may not sleep in them.

ואמאי קרו ליה "אלישע בעל כנפים"? שפעם אחת גזרה מלכות הרשעה גזרה על ישראל, שכל המניח תפילין על ראשו – יקרו את מוחו. והיה אלישע מניח תפילין ויצא לשוק. וראהו קסדור אחד, רץ מלפניו ורץ אחריו. בין שהגיע אליו – נטלן מראשו ואחזן בידו. אמר ליה: מה בידך? אמר לו: כנפי יונה. פשט את ידו ונמצאו בה כנפי יונה. לפיכך היו קוראין אותו "בעל כנפים".

The Gemara asks: And why did they call him Elisha, Man of Wings? Because on one occasion the wicked empire of Rome issued a decree against the Jewish people that, as punishment, they would pierce the brain of anyone who dons phylacteries on his head. Nevertheless, Elisha would don them and defiantly go out to the marketplace. One day, an official who was appointed to enforce the decree saw him. Elisha ran away from him, and the official ran after him. When the official reached him, Elisha removed the phylacteries from his head and held them in his hand. The officer asked him: What is in your hand? Elisha said to him: It is merely a dove's wings. A miracle took place: He opened his hand, and, indeed, it was found to be a dove's wings. Therefore, in commemoration of this miracle, they would call him Elisha, Man of Wings.

מאי שנא כנפי יונה דאמר ליה, ולא אמר ליה שאר עופות? משום דדמיא כנסת ישראל ליונה, שנאמר "כנפי יונה נחפה בכסף ואברותיה בירקרק חרוץ", מה יונה זו כנפיה מגינות עליה, אף ישראל – מצות מגינות עליה.

The Gemara asks: And what is different about a dove's wings, that Elisha specifically told him that he was holding the wings of a dove and he did not tell him he was holding the wings of other birds? The Gemara answers: Because the congregation of Israel is likened to a dove, as it is stated: "You shall shine as the wings of a dove covered with silver and her pinions with yellow gold" (Psalms 68:14). Just as a dove has only its wings to protect it, so too, the Jewish people have only mitzvot to protect them. Apparently, Elisha Man of Wings was vigilant in fulfilling the mitzva of phylacteries in the face of the decree, whereas the rest of the people were not.

אמר רבי אבא בר רב אדא אמר רבי יצחק: פעם אחת שכחו ולא הביאו איזמל מערב שבת, והביאוהו בשבת (דרך גזות ודרך תצירות)

Rabbi Abba bar Rav Adda said that Rabbi Yitzḥak said as follows: On one occasion they were supposed to circumcise a baby on Shabbat, and they forgot and did not bring a scalpel with which to circumcise him on Shabbat eve, and they brought it on Shabbat via roofs and via courtyards,

HALAKHA

Carrying a circumcision scalpel on Shabbat from one domain to another – טיטול סכין – טל מילה בשבת מרשות לרשות: If the circumcision scalpel were not brought to the place where the circumcision was to be performed on Shabbat, it is prohibited to carry it from one domain to another, including from a public domain or a *karmelit* into a private domain, and from one courtyard to another or to an alleyway, if they were not joined together through an *eiruv*, in accordance with the opinion of the Rabbis (Rambam *Sefer Ahava, Hilkhot Mila* 2:6; *Shulhan Arukh, Orah Hayyim* 331:6 and *Yoreh De'a* 266:2).

Roofs, enclosures, and courtyards – גגות וקניפיות וחצירות: Roofs, enclosures, and courtyards are considered a single domain with regard to the vessels found there at the beginning of Shabbat. Consequently, it is permitted to carry from one to another, even if the individual areas belong to different owners and they were not joined by an *eiruv*. However, if the vessels were in the house at the beginning of Shabbat, it is prohibited to carry them out of the courtyard area of that house, in accordance with the opinion of Rabbi Shimon (Rambam *Sefer Zemanim, Hilkhot Eiruv* 3:18; *Shulhan Arukh, Orah Hayyim* 372:1).

שלא ברצון רבי אליעזר.

מתקין לה רב יוסף: "שלא ברצון רבי אליעזר"? אדרבה, רבי אליעזר הוא דשרי! וכי תימא שלא ברצון רבי אליעזר – דשרי אפילו ברשות הרבים, אלא ברצון רבנן – דאסרו דרך רשות הרבים. ושרי דרך גגות דרך חצירות וקניפיות. ומי שרי! והתנא: בשם שאין מביאין אותו דרך רשות הרבים – כך אין מביאין אותו לא דרך גגות ולא דרך קניפיות ולא דרך חצירות.

אלא אמר רב אשי: שלא ברצון רבי אליעזר ומחלוקתו, אלא ברצון רבי שמעון. דתנן, רבי שמעון אומר: אחד גגות ואחד קניפיות ואחד חצירות – כולן רשות אחד הן לכלים ששבתו בתוכן, ולא לכלים ששבתו בחצרות הבית.

בעא מיניה רבי זירא מרבי אסי: מביי שלא נשתתפו בו, מהו לטלטל בכולו? מי אמרינן כחצר דמי, מה חצר – אף על גב דלא ערבו מותר לטלטל בכולו, האי נמי – אף על גב דלא נשתתפו בו מותר לטלטל בכולו. או דילמא: לא דמי לחצר, דחצר אית ליה ארבע מחיצות, האי – לית ליה ארבע מחיצות. אי נמי, חצר – אית ליה דיוורין, האי – לית ביה דיוורין. שתיק ולא אמר ליה ולא מידי.

contrary to the wishes of Rabbi Eliezer. Even though the roofs and courtyards were not halakhically joined in a manner where it would be permitted to carry from one to the other, the Rabbis permitted carrying the scalpel in this manner.

Rav Yosef strongly objects to this: Contrary to the wishes of Rabbi Eliezer? On the contrary, it is Rabbi Eliezer who permits this, as he permits carrying the scalpel even through the public domain.^h And if you say that it means contrary to the wishes of Rabbi Eliezer, who permits carrying even in the public domain, but in accordance with the wishes of the Rabbis, who prohibited carrying via the public domain and only permitted carrying via roofs, via courtyards and enclosures, that is also difficult. And is it permitted according to the opinion of the Rabbis? Wasn't it taught in a *baraita*: Just as one may not bring the circumcision knife via the public domain, so too, one may not bring it via roofs, via enclosures, or via courtyards?

Rather, Rav Ashi said: It means contrary to the wishes of Rabbi Eliezer and his disputants,ⁿ but in accordance with the wishes of Rabbi Shimon. As we learned in a mishna that Rabbi Shimon says: Roofs, enclosures, and courtyards^h are all considered as one domain with regard to vessels that rested inside them at the beginning of Shabbat. Therefore, it is permitted to carry vessels that rested inside one to another. However, they are not considered the same domain with regard to vessels that rested inside the house at the beginning of Shabbat. If the homeowners did not join the courtyard by means of an *eiruv*, it is prohibited to carry vessels from their houses to the courtyard. Even if the houses in a courtyard were joined, it is prohibited to carry from the courtyard to an enclosure unless they were joined by means of an *eiruv*. In any case, there are circumstances in which Rabbi Shimon allows carrying via roofs, courtyards, and enclosures.

Rabbi Zeira raised a dilemma before Rabbi Asi: An alleyway whose residents did not merge together, what is its legal status with regard to carrying items in all of it according to Rabbi Shimon? Rabbi Zeira explains the dilemma: Do we say that it is like a courtyard, and just as with regard to a courtyard, even though they did not join the houses in it together and despite the fact that it is prohibited to carry out items from the houses to the courtyard, it is nonetheless permitted to carry in all of it? Therefore, in this alleyway too, even though they did not merge together, it is permitted to carry in all of it despite the fact that it is prohibited to carry items into the alleyway. Or, perhaps an alleyway is not similar in this regard to a courtyard, as a courtyard has four partitions, whereas this, the alleyway, does not have four partitions, but only three. Alternatively, there may be a different reason for the inferior status of an alleyway in this regard: A courtyard has residents and can therefore be considered like a house, which would allow carrying within it, whereas this alleyway does not have residents. Rabbi Asi was silent and did not say anything to him, as he was unable to provide a satisfactory response.ⁿ

NOTES

שלא – Contrary to the wishes of Rabbi Eliezer and his disputants – טל מילה בשבת מרשות לרשות: This statement appears in several contexts involving similar cases where the Gemara associates an entire discussion with the name of a particular Sage who took part in the discussion. It refers not only to the opinion of that Sage but also to that of his disputants, whose names are not mentioned.

טיטול בחצירות ומבואות – Carrying in courtyards and alleyways: The laws of alleyways and courtyards are addressed at great length in tractate *Eiruv*. The discussion here is based on several principles. All the areas referred to here, i.e., courtyards, roofs, enclosures, and alleyways, have the legal status of a private domain by Torah law, since they are surrounded by halakhically satisfactory partitions. Nevertheless, for various reasons, the Sages decreed that it is prohibited to carry within them. They also prohibited carrying from houses located in a common courtyard to the courtyard. The rationale is that each house is a

private domain, while the common courtyard is similar to a domain frequented by the public, as it is used jointly by many people. To permit carrying in the courtyard, the residents of all the houses must join together and create a partnership [*eiruv*] that accords them the legal status of members of one family living in a single house. This also applies to an alleyway shared by numerous courtyards.

A different *halakha* applies to enclosures and roofs. Since people do not live there, the Sages were stringent and accorded them *karmelit* status, even though they are actually private domains. Rabbi Shimon, however, distinguishes between carrying from houses to roofs and courtyards and carrying between roofs and courtyards themselves. He prohibits carrying items from houses to any area of the courtyard, including roofs. However, he considers the roofs and courtyards themselves to be private domains in which it is permitted to carry. The question that arose in the Gemara sought to clarify which of those models applies to an alleyway.

וּמִנֵּי אֲשֶׁר חָתַיָּה דִּיתִיב וְקָא אָמַר:
אָמַר רַבִּי שְׁמַעוֹן בֶּן לֵקִישׁ מִשּׁוּם רַבִּי
יְהוּדָה הַנָּשִׂיא: פֻּעַם אַחַת שָׁכְחוּ וְלֹא
הֵבִיאוּ אֵיזֶמֶל מֵעֵרֵב שַׁבָּת, וְהֵבִיאוּהוּ
בַשַּׁבָּת, וְהָיָה הַדָּבָר קִשָּׁה לַחֲכָמִים:
הֵיכָן מִנְחִין דְּבָרֵי חֲכָמִים וְעוֹשִׂין
כְּרַבִּי אֱלִיעֶזֶר. חָדָא – דְּרַבִּי אֱלִיעֶזֶר
שְׁמוּתִי הוּא, וְעוֹד – יְחִיד וְרַבִּים
הִלְכָה כְּרַבִּים.

וְאָמַר רַבִּי אוֹשְׁיָא: שְׂאִילִית אֶת רַבִּי
יְהוּדָה הַגּוֹזֵר, וְאָמַר לִי: מְבוי שְׁלֹא
נִשְׁתַּתְּפוּ בוֹ הוּא, וְאִיתְּרוּהוּ מִהָאִי
רִישָׁא לְהָאִי רִישָׁא. אָמַר לִיה: סְבִירָא
לִיה לְמַר מְבוי שְׁלֹא נִשְׁתַּתְּפוּ מוֹתֵר
לְטַלְטֵל בְּכוֹלֹ? וְאָמַר לִיה: אֵין. אָמַר
לִיה: וְהָאִי זִמְנִין בְּעָאִי מִינֵךְ וְלֹא
אִמְרַת לִי הֲכִי? דִּילְמָא אֲגַב שְׁיִטְפֵךְ
רְהִיט לָךְ גְּמָרְךָ? אָמַר לִיה: אֵין, אֲגַב
שְׁיִטְפָא רְהִיטָא לִי גְמָרִי.

אִיתְמַר, אָמַר רַבִּי יוֹרָא אָמַר רַב: מְבוי
שְׁלֹא נִשְׁתַּתְּפוּ בוֹ – אֵין מְטַלְטֵלִין בוֹ
אֶלָּא בְּאַרְבַּע אַמּוֹת.

אָמַר אַבְיִי: הָאִי מִילְתָּא אִמְרָה רַבִּי
יֹרָא וְלֹא פִירְשָׁה, עַד דְּאִתָּא רַבָּה
בְּרַ אַבּוּה וּפִירְשָׁה, דְּאָמַר רַב נַחְמָן
אָמַר רַבָּה בְּרַ אַבּוּה אָמַר רַב: מְבוי
שְׁלֹא נִשְׁתַּתְּפוּ בוֹ, עִירְבוּ חֲצֵירוֹת
עִם בָּתִּים – אֵין מְטַלְטֵלִין בוֹ אֶלָּא
בְּאַרְבַּע אַמּוֹת, לֹא עִירְבוּ חֲצֵירוֹת
עִם בָּתִּים – מוֹתֵר לְטַלְטֵל בְּכוֹלֹ.

אָמַר לִיה רַב חֲנִינָא חוּזָא לְרַבָּה:
מָאִי שָׁנָא כִּי עִירְבוּ חֲצֵירוֹת עִם
בָּתִּים – דְּמִתְקוּ חֲצֵירוֹת וְנַעֲשׂוּ בָתִּים,
וְרַב לְטַעְמִיהּ, דְּאָמַר רַב: אֵין הִמְבּוּי
מִתֵּר בְּלָחִי וְקוֹרָה עַד שְׁיָהּ

On another occasion Rabbi Zeira found Rabbi Asi sitting and saying: Rabbi Shimon ben Lakish said in the name of Rabbi Yehuda HaNasi: One time they forgot and did not bring a scalpel on Shabbat eve for the purpose of circumcising a child on Shabbat, and they brought it on Shabbat, and the matter was difficult in the eyes of the Rabbis: How can they abandon the words of the Rabbis, who prohibit doing so, and act in accordance with the opinion of Rabbi Eliezer? Why did they find this difficult? One reason was that Rabbi Eliezer was a *Shammuti*, i.e., a follower of the views of Beit Shammai (Jerusalem Talmud), and the *halakha* is generally in accordance with the opinion of Beit Hillel in their disputes with Beit Shammai. And furthermore, there is a general rule that in a dispute between an individual and the many, the *halakha* is in accordance with the opinion of the many. Here too, the *halakha* should certainly be in accordance with the opinion of the Rabbis, who disagree with Rabbi Eliezer.

And Rabbi Oshaya said: I asked Rabbi Yehuda the Cutter, i.e., the circumcisor, and he told me that this incident occurred in an alleyway whose residents did not merge together, and they brought the scalpel from this end of the alleyway to that end, where the baby was. That concludes Rabbi Asi's account of the event. Rabbi Zeira said to Rabbi Asi: Since you related that story without expressing any reservations, it appears that the Master must hold that with regard to an alleyway whose residents did not merge together, it is permitted to carry in all of it. And Rabbi Asi said to him: Yes, that is the *halakha*. Rabbi Zeira said to him: But on a different occasion I raised a dilemma on this matter before you and you did not say so to me. Perhaps in the course of your studies your knowledge was restored to you? He said to him: Yes, in the course of my studies my knowledge was restored to me, and I remembered this *halakha*.

With regard to the very same *halakha*, it was stated as a principle that Rabbi Zeira said that Rav said: An alleyway that was not merged by the residents of the courtyards that open into it, it is only permitted to carry in it within four cubits.

Abaye said: This halakhic matter was stated by Rabbi Zeira, and he did not explain it. It remained enigmatic until Rabba bar Avuh came and explained it. As Rav Nahman said that Rabba bar Avuh said that Rav said: With regard to an alleyway that was not merged¹¹ by the residents of the courtyards that open into it, if they joined the courtyards with the houses, i.e., the homeowners within each courtyard joined together and are therefore permitted to carry within the courtyards themselves, it is only permitted to carry in it within four cubits, as in an intermediate domain [*karmelit*]. However, if they did not join the courtyards with the houses and it is prohibited to carry within the courtyards, it is permitted to carry in the entire alleyway.

Rav Hanina Hoza'a said to Rabba: What is different about a case where they joined the courtyards with the houses? Is it because the courtyards were detached and became like houses? And Rav follows his regular line of reasoning, for Rav said: An alleyway can only be made into a permitted area for carrying by means of a sidepole and a crossbeam, which is the standard *halakha* in a closed alleyway, if there are

houses and courtyards open to it, and each courtyard contains at least two houses, and there are at least two courtyards. And here, there are houses but there are no courtyards, and therefore the standard *halakhot* of a closed alleyway do not apply. However, if that is the case, when they did not join the courtyards with the houses too, let us consider these houses as though they were sealed, because their residents may not carry from their houses into the courtyards, and the houses should be considered irrelevant. Therefore, in that case too, there are courtyards but there are no houses.

NOTES

In the course of your studies your knowledge was restored to you – אֲגַב שְׁיִטְפֵךְ רְהִיט לָךְ גְּמָרְךָ – The Rashash explains this phrase to mean the opposite: Through your preoccupation with your studies you forgot what you had learned through oral tradition.

HALAKHA

An alleyway that was not merged – מְבוי שְׁלֹא נִשְׁתַּתְּפוּ בוֹ: Vessels that were located in a closed alleyway from the beginning of Shabbat may be moved anywhere within that alleyway, whether or not the courtyards were merged together or the houses within the courtyards were joined together. The *halakha* in this matter is not in accordance with the opinion Rav but in accordance with the opinion of Rabbi Yohanan cited in tractate *Eiruvim*, as Rabbi Shimon's ruling with regard to the *halakhot* of roofs and courtyards is accepted (*Beit Yosef*). According to the Rambam, if the houses in the courtyards were joined together but the various courtyards in the alleyway did not merge, it is permitted to carry only four cubits in the alleyway (Rambam *Sefer Zemanim*, *Hilkhot Eiruvim* 5:15; *Shulḥan Arukh*, *Orah Hayyim* 388).

Perek XIX

Daf 131 Amud a

בָּתִּים וְחֲצֵירוֹת פְּתוּחִין לְתוֹכוֹ. וְהָכָא,
בָּתִּים – אֵין, חֲצֵירוֹת – לֵיכָא. כִּי
לֹא עִירְבוּ נָמִי, לִיחְזוּנְהוּ לְהֵי בָתִּים
כְּמֵאן דְּסִתְּמִי דְּמוֹ וְחֲצֵירוֹת – אֵין, אֵין
וּבָתִּים – לֵיכָא!

It is possible for them to renounce all of their property rights and transfer them to one person – אָפּשׂר דִּמְבַטְלִי – לִיה רְשׁוּתָא דְבוּלְהוּ לְגַבִּי חַד. Inhabitants of different houses located in the same courtyard would typically participate in the joining of courtyards for Shabbat. The joining of courtyards is accomplished in the following manner: Each of the families places a piece of bread or some other food in one location. Consequently, all the households in the courtyard are considered one extended household, and they may carry items on Shabbat from their houses to the courtyard and within the courtyard itself. However, in cases where there is no joining of courtyards, or where the *halakha* prohibits joining the courtyards, a different option is available. All the homeowners may relinquish authority over their shares of the courtyard to one homeowner. In that case, it is permitted to carry within the courtyard and between the courtyard and the house of the resident to whom all the other residents ceded control of their shares of the courtyard. However, it is prohibited to carry between the courtyard and any of the other houses. According to one opinion, upon which the Gemara here is based, not only is it permitted to renounce authority in favor of one resident; it is even permitted for all the homeowners to then relinquish authority over their shares of the courtyard to a different resident on Shabbat itself.

אָפּשׂר דִּמְבַטְלִי לִיה רְשׁוּתָא דְבוּלְהוּ
לְגַבִּי חַד. סוֹף סוֹף, בֵּית – אִיבָא.
בְּתִים – לִיבָא!

אָפּשׂר דִּמְצַפְרָא וְעַד פְּלָגָא דְיומָא
לְגַבִּי חַד, מִפְּלָגִיָּה דְיומָא וְלִפְנֵי
לְגַבִּי חַד. סוֹף סוֹף, בְּעִידָנָא דְאַיְתִיָּה
לְהֵאֵי – לִיְתִיָּה לְהֵאֵי! אֶלָּא אָמַר רַב
אַשִׁי: מִי גֵרַם לְחֻצְרוֹת שְׁיָאֶסְרוּ –
בְּתִים, וְלִיבָא.

אָמַר רַבִּי חִיָּיא בַר אָבָא אָמַר רַבִּי
יִוְחָנָן: לֹא לְבַל אָמַר רַבִּי אֱלִיעֶזֶר
מִכְשִׁירֵי מִצְוָה דּוֹחִין אֶת הַשַּׁבָּת,
שְׁהָרִי שְׁתֵּי הֶלֶחֶם חוֹבֵת הַיּוֹם הֵן
וְלֹא לְמַדֵּן רַבִּי אֱלִיעֶזֶר אֶלָּא מְגִידָה
שׁוּבָה. דִּתְנִיָּא, רַבִּי אֱלִיעֶזֶר אוֹמֵר: מִנִּין
לְמִכְשִׁירֵי שְׁתֵּי הֶלֶחֶם שְׂדוּחִין אֶת
הַשַּׁבָּת – נֶאֱמָרָה הִבָּאָה בְּעוֹמֵר,
וְנֶאֱמָרָה הִבָּאָה בְּשְׁתֵּי הֶלֶחֶם. מַה
הִבָּאָה הָאֻמּוּרָה בְּעוֹמֵר – מִכְשִׁירֵין
דּוֹחִין אֶת הַשַּׁבָּת, אִף הִבָּאָה
הָאֻמּוּרָה בְּשְׁתֵּי הֶלֶחֶם – מִכְשִׁירֵין
דּוֹחִין אֶת הַשַּׁבָּת.

מוֹפְנִי, דָּאִי לֹא מוֹפְנִי – אִיבָא
לְמִפְרֹךְ: מַה לְעוֹמֵר – שְׂכָן אִם מִצָּא
קָצוּר – קוֹצֵר, תֹּאמַר בְּשְׁתֵּי הֶלֶחֶם
שָׂאֵם מִצָּא קָצוּר – אֵינוֹ קוֹצֵר. לֹאִי,
אֶפְנוּיִי מוֹפְנִי. מִכְּדִי כְּתוּב "וְהִבָּאתֶם
אֶת עוֹמֵר רֵאשִׁית קִצְרְכֶם אֶל
הַכֹּהֵן", "בַּיּוֹם הַבִּיאְכֶם" לָמָּה לִי?
שְׂמַע מִיָּנָה – לְאַפְנוּיִי.

The Gemara answers: In that case it is possible for them to renounce all of their property rights and transfer them to one person.^N Just as the residents of a courtyard can join together, thereby rendering it permitted to carry in the courtyard, they can also relinquish their property rights to a single resident. In that way, it is considered as though there is only one inhabited house in the courtyard, and it is therefore permitted to carry within the courtyard as well as between that particular house and the courtyard. The Gemara rejects this answer: **Ultimately**, even in that case, **there is one house**, yet **there are not multiple houses**, as it is possible to relinquish one's privileges to only one homeowner and not to two. This would fail to meet the minimum requirement of two houses for the area to be considered a courtyard.

The Gemara answers: **It is possible** to resolve this: **From morning until midday** they can relinquish their rights to **one**, and **from midday until evening** they can relinquish their rights to **another**, and as a result there will be two houses. The Gemara rejects this answer: **Ultimately**, **at the time when this house has the ownership rights**, that house **does not have them**, as at any point in time there is only one house from which it is permitted to carry into the courtyard. **Rather**, Rav Ashi said: The explanation that there are no houses and courtyards here is rejected, and the explanation is: **What caused the courtyards to be prohibited?** It is the presence of the **houses**. Had there been no houses, it would have been permitted to carry from the courtyards into the alleyway, since they are one domain according to Rabbi Shimon. **And here**, it is considered as though **there are no houses**. Therefore, it is permitted to carry in the alleyway.

Rabbi Ḥiyya bar Abba said that Rabbi Yohanan said: Rabbi Eliezer did not say with regard to all mitzvot that actions that facilitate performance of a mitzva override Shabbat. This is not a fixed principle with regard to preparations for all mitzvot. Rather, each case must be considered on its own merits, and proof must be cited that this principle applies to a specific mitzva. **As the two loaves offered on the festival of Shavuot are an obligation of that day, and Rabbi Eliezer only learned that the activities that facilitate their sacrifice override Shabbat from a special verbal analogy. As it was taught in a baraita, Rabbi Eliezer says: From where is it derived that the actions that facilitate the offering of the two loaves override Shabbat?** The term **bringing** is stated in the verse with regard to the **omer** offering, and the term **bringing** is stated with regard to the two loaves. **Just as in the case of the bringing stated with regard to the omer**, all the actions that facilitate its offering override Shabbat, as the reaping of the **omer**, which facilitates its offering, overrides Shabbat, **so too**, in the case of the **bringing** stated with regard to the two loaves, actions that facilitate its offering override Shabbat.

With regard to this verbal analogy the Gemara comments: It must be that those terms are **free**, i.e., they are superfluous in their context and therefore available for the purpose of establishing a verbal analogy. **As, if they are not free**, the verbal analogy can be logically refuted, as it is possible to say: **What is unique to the omer?** **That if one found reaped barley one must nevertheless reap more barley for the sake of the mitzva.** Can you say the same with regard to the *halakhot* of the two loaves, where it is taught that **if one found reaped grain one need not reap additional grain for the sacrifice?** Apparently, the *halakhot* of the offering of the two loaves are not parallel to those of the *omer*. The same might be true with regard to actions that facilitate the performance of the mitzva. **In truth**, the verse is **free** for establishing the verbal analogy. The Gemara explains: **Since the verse already states:** "When you come to the land that I am giving to you, and you reap its harvest, **then you shall bring the sheaf [omer], the first of your harvest to the priest**" (Leviticus 23:10), when the verse restates, "And you shall count for yourselves from the morrow after the day of rest, **from the day you have brought the sheaf of the waving**, seven whole weeks they shall be" (Leviticus 23:15), **why do I need this repetition?** **Conclude from this** that the additional statement is there to render the term "bringing" **free** for establishing a verbal analogy.

ואבתי, מופנה מצד אחד הוא, ושמענו ליה לרבי אליעזר דאמר: מופנה מצד אחד – למידין ומשיבין! תביאו רביא הוא.

למעוטי מאי? אילימא למעוטי לולב – והתנא: לולב וכל מכשיריו דוחין את השבת, דברי רבי אליעזר! ואלא למעוטי סופה – והתנא: סופה וכל מכשיריה דוחין את השבת, דברי רבי אליעזר! ואלא למעוטי מצה – והתנא: מצה וכל מכשיריה דוחין את השבת, דברי רבי אליעזר! ואלא למעוטי שופר – והתנא: שופר וכל מכשיריו דוחין את השבת, דברי רבי אליעזר!

אמר רב אדא בר אבהו: למעוטי ציצית לטליתו, ומוזה לפתחו. תנא נמי הכי: ושיון, שאם צייץ טליתו ועשה מוזה לפתחו – שהוא חייב.

מאי טעמא? אמר רב יוסף: לפי שאין קבוע להם זמן. אמר ליה אביי: אדרבה, מדאין קבוע להם זמן –

And yet there is still a difficulty: The verbal analogy is free only from one side, as only the verse that mentions bringing in the context of the *omer* offering is superfluous in its context, and we heard Rabbi Eliezer, who said with regard to a verbal analogy that it is only free from one side, that one can derive from it, and one can also refute^N it logically. The Gemara answers: There is a superfluous usage of the term with regard to the two loaves as well, as in the verse: “From your dwelling places you shall bring the loaves of waving of two tenth parts of an ephah; they shall be of fine flour, they shall be baked with leaven for first-fruits unto the Lord” (Leviticus 23:17) the phrase: “You shall bring” is an amplification. Since it was mentioned in the previous verse it is superfluous in its context. Consequently, the verbal analogy is available from both sides.

The Gemara poses a question with regard to Rabbi Yohanan’s statement: Rabbi Eliezer did not say with regard to all mitzvot that actions that facilitate performance of a mitzva override Shabbat; to exclude actions that facilitate the performance of what mitzva was he referring?

If you say that it was to exclude actions that facilitate the performance of the mitzva of taking the palm branch [*lulav*] and the other three species on the festival of *Sukkot*, wasn’t it taught in a *baraita*: The mitzva of *lulav* and all its facilitators override Shabbat; this is the statement of Rabbi Eliezer?

Rather, say that it comes to exclude the mitzva to dwell in a *sukka* on *Sukkot*. Wasn’t it taught in a *baraita*: The mitzva of *sukka* and all its facilitators override Shabbat; this is the statement of Rabbi Eliezer?

Rather, say that it comes to exclude the mitzva to eat *matza* on Passover. Wasn’t it taught in a *baraita*: The mitzva of *matza* and all its facilitators override Shabbat; this is the statement of Rabbi Eliezer?

Rather, say that it comes to exclude the mitzva to sound the *shofar* on Rosh HaShana. But wasn’t it taught in a *baraita*: The mitzva of *shofar* and all its facilitators override Shabbat; this is the statement of Rabbi Eliezer?

Rav Adda bar Ahava said: The statement of Rabbi Yohanan comes to exclude attaching ritual fringes to his garment and affixing a *mezuzah* to the doorway,^N which do not override Shabbat. The Gemara notes that that was also taught in a *baraita*: And they, Rabbi Eliezer and the Rabbis, agree that if one attached ritual fringes to his garment on Shabbat, and similarly, if one affixed a *mezuzah* to his doorway on Shabbat, that he is liable.

The Gemara asks: What is the reason that Rabbi Eliezer concedes that actions that facilitate the performance of these mitzvot do not override Shabbat? Rav Yosef said: Because they have no fixed time and these mitzvot need not be performed on Shabbat. Abaye said to him: On the contrary, from the fact that they have no fixed time,

it can be said that each and every moment is its proper time. The obligation to fulfill the mitzva is perpetual and one may not neglect it. Why should it be prohibited for him to perform actions that facilitate the performance of the mitzva on Shabbat? Rather, Rav Nahman said that Rav Yitzhak said, and some say that he said that Rav Huna, son of Rav Yehoshua, said: The actions that facilitate the performance of these mitzvot do not override Shabbat, since one can render the relevant objects ownerless.^N One is only required to perform these mitzvot if the objects, i.e., the garment and the house, belong to him. If he renders them ownerless, he is no longer obligated to perform these mitzvot.

NOTES

למידין ומשיבין – One can derive and one can also refute – According to Rabbi Eliezer and several other *tanna'im*, only a verbal analogy based upon words that are superfluous in both contexts is considered to be incontrovertible. However, if the words of a verbal analogy are free only on one side, it is considered an analogy that can be refuted by distinguishing between the subjects under discussion.

מיעוט ציצית – The exclusion of ritual fringes and *mezuzah* – The Gemara’s question as to why ritual fringes and *mezuzah* are not included among the mitzvot whose facilitating actions override Shabbat law was puzzling to the early commentaries. Rabbi Yohanan had already stated that even according to Rabbi Eliezer, there is no one principle that governs all the mitzvot. Therefore, a separate proof is necessary to include each mitzva on the list of mitzvot whose facilitating actions override Shabbat, and there should be no question as to why the mitzvot of ritual fringes and *mezuzah* are not included on this list. *Tosafot* answer that unless another reason was found, it might have been possible to derive that ritual fringes and *mezuzah* are included based upon the *halakha* with regard to *sukka*. The Ramban explains that the question refers to the Torah’s own rationale for this *halakha*: Why did the Torah not permit the overriding of Shabbat law in preparing for these mitzvot?

NOTES

Since one can render the relevant objects ownerless – הואיל ובידו להפקיען – According to Rashi, who is of the opinion that there is an obligation to affix ritual fringes even to a garment not currently in use, rendering one’s garment ownerless is the only way to exempt oneself from the mitzva to affix ritual fringes to its corners. According to other authorities, who rule that a garment which is not being worn is exempt from ritual fringes, either the Gemara chose one rationale from a number of possible explanations (Rashba), or this reason was chosen because it applies to both ritual fringes and *mezuzah* (Ramban).

Perek XIX

Daf 131 Amud b

כל שעתא ושעתא ומניה הוא! אלא אמר רב נחמן אמר רבי יצחק, ואיתימא רב הונא בריה דרב יהושע: הואיל ובידו להפקיען.

The derivation with regard to *sukka* – הלימוד לענין סוכה – The early commentaries (see *Tosafot*) point out that some of the verbal analogies cited with regard to Rabbi Eliezer's position do not meet his own criteria for an incontrovertible verbal analogy, since the words are not superfluous in both verses. The Rashba explains that in fact Rabbi Eliezer is of the opinion that logic dictates that mitzvot, along with their facilitators, should override Shabbat. Consequently, a full-fledged verbal analogy is not necessary.

And with regard to what *halakha* – וילמאי הלכתא – There is a general and obvious rule that the Torah does not permit actions that it never prohibited. It also does not revoke decrees it never issued. Consequently, if the Torah emphasizes that something is permitted, this emphasis cannot allude to the rabbinic decrees issued with regard to that action.

אמר מר: לולב וכל מבשיריו דוחין את השבת, דברי רבי אליעזר. מנא ליה לרבי אליעזר הא? אי מעומר ושתי הלחם – שכן צורך גבוה! אלא אמר קרא: 'ביום', 'ביום' – אפילו בשבת.

וילמאי הלכתא? אילמא לטלטול – איצטריך קרא למישרי טלטול! אלא למבשיריו.

ורבנן – ההוא מיבעי ליה: 'ביום' ולא בלילה.

ורבי אליעזר, ביום ולא בלילה מנא ליה? נפקא ליה מ"ושמחתם לפני ה' אלהיכם שבעת ימים", ימים ולא לילות.

ורבנן – איצטריך, סלקא דעתך אמינא: גילף שבעת ימים מסוכה, מה להלן – ימים ואפילו לילות, אף כאן – ימים ואפילו לילות, קא משמע לן.

ולכתוב רחמנא בלולב וניתו הנך ונילפו מיניה! משום דאיכא למיפרך: מה ללולב שכן טעון ארבעה מינים.

"סוכה וכל מבשיריה דוחין את השבת דברי רבי אליעזר." מנא ליה לרבי אליעזר הא? אי מעומר ושתי הלחם – שכן צורך גבוה! הוא! אי מלולב – שכן טעון ארבעה מינים!

It was taught that the Master said in a *baraita*: The mitzva of *lulav* and all its facilitators override Shabbat; this is the statement of Rabbi Eliezer. The Gemara poses a question: **From where does Rabbi Eliezer derive this *halakha*?**^N If you say he derives it from the mitzvot of the *omer* and the two loaves, whose facilitators override Shabbat, this can be refuted by saying that the performance of facilitating actions is permitted on Shabbat in these cases **because they are for the necessities** of Temple service to God on High, as they are connected to the sacrificial service, which proceeds even on Shabbat. **Rather**, we can say that he derives it from the fact that **the verse states**: "And you shall take for yourselves on the first day, the fruit of goodly trees, branches of palm trees, boughs of thick-leaved trees, and willows of the river, and you shall rejoice before the Lord your God seven days" (Leviticus 23:40), from which he infers: "**On the first day**," meaning that one is obligated to take it on the first day **even** if it occurs on Shabbat.

The Gemara clarifies: **And with regard to what *halakha***^N is this emphasis stated? In what way would the laws of Shabbat have prohibited fulfilling the mitzva of *lulav*? **If you say** that it comes to permit moving the *lulav* despite the prohibition against moving set-aside items, **is a verse required in order to permit moving the *lulav***? The prohibition to move items that are set-aside is not a Torah prohibition. The Torah would not come to permit an action prohibited by the Sages. **Rather**, it must be that the verse is coming to permit violation of Shabbat prohibitions for the facilitators of the *lulav*.

The Gemara asks: **And how do the Rabbis** who disagree with Rabbi Eliezer understand the verse's emphasis that the mitzva must be performed on that day? The Gemara answers: According to the Rabbis, **that expression in the verse is necessary** to teach that this mitzva must be performed **by day and not by night**.

The Gemara asks: **And from where does Rabbi Eliezer** derive that this mitzva must be performed **by day and not by night**? The Gemara answers: **He derives this *halakha*** from the phrase: "**And you shall rejoice before the Lord your God seven days**," as this indicates that the mitzva applies during **the days and not the nights**.

The Gemara asks: **And how do the Rabbis** respond to this? The Gemara answers: The previous derivation was **necessary** because **it might have entered your mind to say** that we should derive the seven days stated here from the seven days stated with regard to *sukka*, and say: **Just as there**, the mitzva of *sukka* applies not only during the days but **even the nights**, **so too here**, the mitzva of *lulav* applies not only during the days but **even the nights**. Therefore, the derivation **teaches us** that the mitzva only applies during the day based upon the original expression: "On the first day."

The Gemara asks: **And according to Rabbi Eliezer's approach, let the Torah write this principle only with regard to *lulav*, and let these**, the mitzva of the *omer* and similar cases, **be derived from it**. The Gemara answers: **Because the analogy can be refuted**. What is unique about *lulav*? **That it requires four species**, as the Torah demands that three other species be taken along with the *lulav*. Therefore, *lulav* cannot serve as a paradigm for other mitzvot that do not share this characteristic.

Earlier, it was taught in a *baraita*: The mitzva of *sukka* and all its facilitators override Shabbat; this is the statement of Rabbi Eliezer. The Gemara asks: **From where does Rabbi Eliezer derive this matter?** If you say he derives it from the *halakha* with regard to the *omer* and the two loaves, this can be refuted by saying that the performance of facilitators is permitted on Shabbat in these cases as these are **the necessities** of Temple service to God on High. If you say he derives it from the *halakha* with regard to *lulav*, this too can be refuted, as *lulav* **requires four species** and therefore has special significance.

אָלֵא: גַּמַּר שְׁבַעַת יָמִים מְלוּלָב, מִה
לְהֵלֵן – מִכְשִׁירֵיו דּוֹחִין אֶת הַשְּׁבַת, אִף
כָּאן נִמִּי – מִכְשִׁירֵיו דּוֹחִין אֶת הַשְּׁבַת.

Rather, he derived it through the following verbal analogy based upon the expression “seven days,” which is stated with regard to both the mitzva of *sukka* and the mitzva of *lulav*. Just as below, with regard to the mitzva of *lulav*, its facilitators override Shabbat, so too here, with regard to the mitzva of *sukka*, its facilitators override Shabbat.

וְלִיכְתּוֹב רַחֲמָנָא בְּסוּכָה, וְיִתִּי הֵנָּה
וְנִגְמֹר מִיָּנִי! מִשּׁוּם דְּאִיכָא לְמִפְרֹךְ:
מִה לְסוּכָה – שָׁכֵן נוֹהֶגֶת בְּלֵילֹת
כְּבִימִים.

The Gemara asks: And let the Torah write only that actions that facilitate the performance of the mitzva override the *halakhot* of Shabbat, and let us bring these other mitzvot and derive their *halakhot* from *sukka*. The Gemara answers: Because this suggestion can be refuted: What is unique about the mitzva of *sukka*? That it applies during the nights just as it applies during the days, whereas the others apply only during the day.

”מִצֵּה וְכָל מִכְשִׁירֶיהָ דּוֹחִין אֶת הַשְּׁבַת,
דְּבָרֵי רַבִּי אֱלִיעֶזֶר.” מִנָּא לִיה לְרַבִּי
אֱלִיעֶזֶר הָא? אִי מַעֲוֵר וּשְׁתֵּי הֶלֶחֶם –
שָׁכֵן צוֹרֵךְ גְּבוּהָ! אִי מְלוּלָב – שָׁכֵן טַעוֹן
אַרְבַּעַה מִיָּנִים! אִי מְסוּכָה – שָׁכֵן נוֹהֶגֶת
בְּלֵילֹת כְּבִימִים!

Earlier it was taught in a *baraita*: The mitzva of *matza* and all its facilitators override Shabbat; this is the statement of Rabbi Eliezer. The Gemara asks: From where does Rabbi Eliezer derive this matter? If you say he derives it from the *halakha* with regard to the *omer* and the two loaves, this can be refuted, as these are the necessities of Temple service to God on High. If you say he derives it from the *halakha* with regard to *lulav*, this too can be refuted, as it requires four species. If you say he derives it from the precedent of *sukka*, this too can be refuted, as it applies during the nights just as it applies during the days.

אָלֵא: גַּמַּר ‘חֲמִשָּׁה עָשָׂר,’ ‘חֲמִשָּׁה עָשָׂר’
מִחַג הַסּוּכּוֹת, מִה לְהֵלֵן – מִכְשִׁירֵיהָ
דּוֹחִין אֶת הַשְּׁבַת, אִף כָּאן – מִכְשִׁירֵיהָ
דּוֹחִין אֶת הַשְּׁבַת.

Rather, Rabbi Eliezer derived it by means of a verbal analogy based upon the word *fifteenth* stated with regard to the mitzva of *matza*, and the word *fifteenth* stated with regard to the festival of *Sukkot*: Just as below, with regard to the mitzva to dwell in a *sukka* on the festival of *Sukkot*, which is on the fifteenth of the month, its facilitators override Shabbat, so too here, with regard to the mitzva to eat *matza* on the fifteenth of the month, its facilitators override Shabbat.

וְלִיכְתּוֹב רַחֲמָנָא בְּמִצֵּה וְיִתִּי הֵנָּה
וְנִגְמֹר מִיָּנִי! מִשּׁוּם דְּאִיכָא לְמִפְרֹךְ:
מִה לְמִצֵּה – שָׁכֵן נוֹהֶגֶת בְּנָשִׁים
כְּבִימִים.

The Gemara asks: And let the Torah write this principle with regard to *matza*, and and let us bring these other mitzvot and derive their *halakhot* from *matza*. The Gemara answers: Because this suggestion can be refuted: What is unique about the mitzva of *matza*? That it applies to women as it does to men. It is therefore different from the other mitzvot under discussion, which only apply to men.

”שׁוֹפָר וְכָל מִכְשִׁירֵיו דּוֹחִין אֶת הַשְּׁבַת,
דְּבָרֵי רַבִּי אֱלִיעֶזֶר.” מִנָּא לִיה לְרַבִּי
אֱלִיעֶזֶר הָא? אִי מַעֲוֵר וּשְׁתֵּי הֶלֶחֶם –
שָׁכֵן צוֹרֵךְ גְּבוּהָ! אִי מְלוּלָב – שָׁכֵן טַעוֹן
אַרְבַּעַה מִיָּנִים! אִי מְסוּכָה – שָׁכֵן נוֹהֶגֶת
בְּלֵילֹת כְּבִימִים! אִי מִמְצָה – שָׁכֵן
נוֹהֶגֶת בְּנָשִׁים כְּבִימִים! אָלֵא: אָמַר
קָרָא “יוֹם תְּרוּעָה יִהְיֶה לָכֶם” – בַּיּוֹם,
אֶפִּילוּ בַּשְּׁבַת.

It was also taught in the *baraita*: The mitzva of *shofar* and all its facilitators override Shabbat; this is the statement of Rabbi Eliezer. The Gemara asks: From where does Rabbi Eliezer derive this matter? If you say he derives it from the *halakha* with regard to the *omer* and the two loaves, this can be refuted, as these are the necessities of Temple service to God on High. If you say he derives it from the *halakha* with regard to *lulav*, this too can be refuted, as it requires four species. If you say he derives it from the precedent of *sukka*, this too can be refuted, as it applies during the nights just as it applies during the days. If you say he derives it from *matza*, this too can be refuted, as it applies to women just as it applies to men. Rather, Rabbi Eliezer derives it from the fact that the verse stated: “And in the seventh month, on the first of the month, a holy calling it shall be to you; any prohibited labor of work you shall not perform; a day of sounding the *shofar* it shall be for you” (Numbers 29:1). The verse’s emphasis that the *shofar* must be sounded on that day teaches us that it applies even on Shabbat.

וְלִמָּא? אִילִּימָא לְתַקִּיעָה – הָא תִּנָּא
דְּבִי שְׁמוּאֵל: “כָּל מְלָאכָת עֲבוּדָה לֹא
תַעֲשׂוּ” – יִצְתָה תַּקִּיעַת שׁוֹפָר וּדְרִיט
הַפֶּת, שְׁהִיא חֲכֻמָּה וְאִינָּה מְלָאכָה,
אָלֵא לְמִכְשִׁירֵין.

And for what purpose was this emphasized? If you say it is in order to permit sounding the *shofar*, this has already been taught by one of the Sages of the school of Shmuel with regard to the verse that prohibits performing prohibited labor on Festivals: “Any prohibited labor of work you shall not perform” (Numbers 29:1), which comes to exclude from the category of prohibited labors the sounding of the *shofar* and the removal of bread from the oven, which are skills and not labors. Rather, it is necessary to teach with regard to actions that facilitate the performance of the mitzva.

It introduces the remembrances of the Jewish people – מִכְנָסֶת זְכוּנוֹת שֶׁל יִשְׂרָאֵל – The Torah states with regard to the sounding of the *shofar* on Rosh HaShana: “A memorial proclaimed with the blast of horns, a holy convocation” (Leviticus 23:24); and a significant section of the Rosh HaShana prayers, Remembrances, emphasizes the aspect of remembrance on Rosh HaShana, whereby the remembrances of the Jewish people are brought before their Father in Heaven.

וְרִבְנָן – הֵהוּא מִיבְעֵי לֵיהּ: בְּיוֹם
וְלֹא בְלֵילָהּ. וְרַבִּי אֱלִיעֶזֶר, בְּיוֹם
וְלֹא בְלֵילָהּ מִנָּא לֵיהּ? נִפְקָא לֵיהּ
מִבְּיֹסֵי הַכְּפֻרִים תַּעֲבִירוּ שׁוֹפָר בְּכָל
אַרְצָכֶם וְגַמְרֵי מִהֲדָדִי.

The Gemara asks: **And how do the Rabbis understand the verse's emphasis that the mitzva must be performed on that day?** The Gemara answers: **That expression in the verse is necessary** according to the Rabbis in order to teach that this mitzva must be performed **by day and not by night**. The Gemara asks: **And from where does Rabbi Eliezer derive that this mitzva must be performed by day and not by night?** The Gemara answers: **He derives this halakha from the verse with regard to the laws of the Jubilee Year:** “And you shall pass a *shofar* of sounding in the seventh month, on the tenth of the month, **on the Day of Atonement you shall pass a shofar throughout your land**” (Leviticus 25:9), **and the laws of all instances of sounding the shofar during the seventh month are derived from each other.** Therefore, just as on Yom Kippur the *shofar* is sounded during the day, as emphasized by the fact that the verse uses the phrase Day of Atonement, the same applies on Rosh HaShana.

וְלִיכְתוּב רַחֲמָנָא בְּשׁוֹפָר, וְלִיתֵּי
הֶנֶךְ וְלִיגְמָרוּ מִינֵיהּ! מִתְקִיעֵת שׁוֹפָר
דְּרֹאשׁ הַשָּׁנָה לִיכָא לְמִיגְמָר – שָׁבִין
מִכְנָסֶת זְכוּנוֹת שֶׁל יִשְׂרָאֵל לְאַבְיָהֶן
שְׁבַשְׁמִים, מִתְקִיעֵת [שׁוֹפָר] דְּיוֹם
הַכְּפֻרִים לִיכָא לְמִיגְמָר – דְּאָמַר מֶר:
תִּקְעוּ בֵּית דִּין שׁוֹפָר נִפְטְרוּ עֲבָדִים
לְבִתְיָהֶם וְשָׂדוֹת חֲזֻרוֹת לְבַעֲלֵיהֶן.

The Gemara asks: **And according to Rabbi Eliezer's approach, let the Torah write this principle only with regard to shofar, and let us bring these other mitzvot and derive their halakhot from shofar.** The Gemara answers: **From the sounding of the shofar of Rosh HaShana, the principle that actions that facilitate the performance of a mitzva override Shabbat cannot be derived,** because it has special significance in that **it introduces the remembrances of the Jewish people^N before their Father in heaven.** **From the sounding of the shofar of Yom Kippur, the principle that actions that facilitate the performance of a mitzva override Shabbat cannot be derived,** as this *shofar* sounding also has special significance, as **the Master said: Once the court sounds the shofar on Yom Kippur in the Jubilee Year, the declaration of freedom applies at once. Slaves may take leave of their masters and go to their homes, and fields that had been sold return to their ancestral owners.** Therefore, other mitzvot cannot be derived from the sounding of the *shofar* of Yom Kippur.

(אָמַר מֶר) “מִלֵּילָהּ וְכָל מְכַשְׁרֵיהָ דּוֹחִין
אֶת הַשַּׁבָּת, דְּבִרְבִּי אֱלִיעֶזֶר” מִנָּא
לֵיהּ לְרַבִּי אֱלִיעֶזֶר הָא? אִי מְכַלְהוּ
גַּמְר – כְּדָאמְרִינן. וְעוֹד: מַה לְהֶנֶךְ –

Earlier it was taught that **the Master said in the baraita:** The mitzva of circumcision and all its facilitators override Shabbat; this is **the statement of Rabbi Eliezer.** The Gemara asks: **From where does Rabbi Eliezer derive this halakha? If he derives it from all of the other mitzvot cited above, we can refute it, as we have already said that each one of them includes a unique aspect of severity or significance. And furthermore, there is another difficulty: What is unique about these mitzvot**

Perek XIX

Daf 132 Amud a

NOTES

If its time passed, it is void – אִם עָבַר זְמַנָּה בְּטֻלָּה: While it is true that if one failed to fulfill the mitzva of *sukka* on the first day of the Festival he may still fulfill the mitzva on the intermediate days, there is no way to compensate for the failure to fulfill the mitzva on the first day as well. It is especially true that the mitzva is void according to Rabbi Eliezer's own view, that it is prohibited build a *sukka* during the intermediate days (Rashba).

שָׁבִין אִם עָבַר זְמַנָּה בְּטֻלָּה. אֱלָא,
הֵינֵינוּ טַעֲמָא דְּרַבִּי אֱלִיעֶזֶר: דְּאָמַר
קָרָא “וּבְיוֹם הַשְּׁמִינִי יִמּוֹל בְּשֹׁר
עֲרֻלָּתוֹ” – וְאַפִּילוּ בַּשַּׁבָּת.

in each, as if its time passed, it is void,^N unlike the mitzva of circumcision, which can be fulfilled at a later date if the child is not circumcised on the eighth day. **Rather, this is the reason for the opinion of Rabbi Eliezer, as the verse says: “And on the eighth day the flesh of his foreskin shall be circumcised” (Leviticus 12:3), indicating that he is circumcised on the eighth day even if it falls on Shabbat.**

וְלִיכְתוּב רַחֲמָנָא בְּמִילָהּ, וְלִיתֵּי
הֶנֶךְ וְלִיגְמָרוּ מִינֵיהּ! מִשּׁוּם דְּאִיכָא
לְמִיפְרֹךְ: מַה לְמִילָּהּ שָׁבִין נִכְרְתֵי עָלֶיהָ
שְׁלִשׁ עָשָׂרָה בְּרִיתוֹת.

The Gemara asks: **And let the Torah write this principle only with regard to the mitzva of circumcision, and let these other mitzvot come and derive their halakhot from it.** The Gemara answers: **Because this suggestion can be refuted: What is unique about the mitzva of circumcision? That thirteen covenants were established over it, as the word covenant is mentioned thirteen times in the passage dealing with the circumcision of Abraham (Genesis 17).** Owing to its great significance, other mitzvot cannot be derived from it.

Just as circumcision, which pertains to only one of a person's limbs, overrides Shabbat...it is an *a fortiori* inference that saving a life overrides Shabbat – מה מילה שהיא אחת מאיבריו של אדם דוחה את השבת...קל וחומר לפיקוח נפש שדוחה את השבת: This should be understood as follows: Just as circumcision, through which one fulfills only one mitzva with just one of his limbs, overrides Shabbat, all the more so should saving a life, which ensures that a person will be able to fulfill the entire Torah with all of his limbs, override Shabbat (*Tosafot*).

The ritual impurity of a nazirite – טומאת נזיר: The *halakhot* of a nazirite are articulated in the Torah (Numbers 6) and explained at great length in tractate *Nazir*, which is devoted entirely to these *halakhot*. A nazirite must refrain from cutting his hair and drinking wine, and avoid ritual impurity imparted by a corpse. If the nazirite becomes impure, all the previous days of his naziriteship are nullified, and he must shave his hair, bring a special offering, and restart his naziriteship. A large portion of tractate *Nazir* deals with clarifying various details of impurity imparted by a corpse, and explaining when that nullifies one's naziriteship and obligates the nazirite to shave his hair.

עד כאן לא פליגי רבנן עליה אלא במכשירי מילה, אבל מילה גופה – דברי הכל דוחה שבת. מנלן? אמר עולא: הלכה. וכן אמר רבי יצחק: הלכה.

The Gemara departs from the facilitators of circumcision to the *halakha* of circumcision itself and asks: **The Rabbis only disagree with Rabbi Eliezer with regard to actions that facilitate circumcision**, which, in their view, do not override Shabbat; **however**, with regard to circumcision itself, everyone agrees that it overrides Shabbat. From where do we derive this *halakha*? Ulla said: This is a *halakha* transmitted to Moses from Sinai, but there is no biblical basis for it. And so too, Rabbi Yitzhak said: It is a *halakha* transmitted to Moses from Sinai.

מיתמיני: מניין לפיקוח נפש שדוחה את השבת – רבי אלעזר בן עזריה אומר: מה מילה שהיא אחת מאיבריו של אדם – דוחה את השבת, קל וחומר לפיקוח נפש שדוחה את השבת.

The Gemara raises an objection from that which was taught in the *Tosefta*: From where is it derived that saving a life overrides Shabbat? Rabbi Elazar ben Azarya says it is derived from the mitzva of circumcision: Just as circumcision, which pertains to only one of a person's limbs, overrides Shabbat, all the more so it is an *a fortiori* inference that saving a life, which is a mitzva that pertains to the entire person, overrides Shabbat.^N

ואי סלקא דעתך הלכה, קל וחומר מהלכה מי אתי? והתנא, אמר לו רבי אלעזר (בן עזריה): עקיבא, עצם בשעורה מטמא הלכה, ורביעית דם – קל וחומר, ואין דנין קל וחומר מהלכה!

And if it should enter your mind to say that circumcision may be performed on Shabbat based on a *halakha* transmitted to Moses from Sinai, is an *a fortiori* inference derived from a *halakha* transmitted to Moses from Sinai? Wasn't it taught explicitly in a *baraita* that an *a fortiori* inference cannot be derived from a *halakha* transmitted to Moses from Sinai? Rabbi Akiva sought to derive that a nazirite who comes into contact with a quarter *log* of blood from a corpse becomes ritually impure^N and is required to shave his hair. He sought to do this based on an *a fortiori* inference from the *halakha* of the bone from a dead person the size of a grain of barley, as he had a received tradition that a nazirite is required to shave his hair due to that contact. Rabbi Elazar ben Azarya said to him: Akiva, the *halakha* that a bone the size of a grain of barley transmits ritual impurity is a *halakha* transmitted to Moses from Sinai, and you would derive from it that a quarter of a *log* of blood transmits ritual impurity based upon an *a fortiori* inference, and one does not derive an *a fortiori* inference from a *halakha* transmitted to Moses from Sinai. The *Tosefta* explicitly states that Rabbi Elazar ben Azarya himself derived an *a fortiori* inference from the *halakha* of circumcision on Shabbat. Clearly, then, it is derived from the Torah itself and not from a *halakha* transmitted to Moses from Sinai.

אלא אמר רבי אלעזר: אתיא 'אות' 'אות'.

Rather, Rabbi Elazar said: This *halakha* is derived by means of a verbal analogy between the word **sign** that appears with regard to circumcision: "And you shall be circumcised in the flesh of your foreskin; and it shall be a sign of the covenant between Me and you" (Genesis 17:11), and **sign** that appears with regard to Shabbat: "However, you shall keep My *Shabbatot*, for it is a sign between Me and you throughout your generations" (Exodus 31:13). From this verbal analogy, it is derived that circumcision, which is a sign, may be performed even on Shabbat, which is itself a sign.

אלא מעתה, תפילין דכתיב בהן אות – לידחי שבת!

The Gemara asks: But if what you say is so, **phylacteries, with regard to which the term sign is also written**: "And it shall be for a sign on your hand and for frontlets between your eyes" (Exodus 13:16), **should also override Shabbat**, and they should be donned on that day.

אלא אתיא 'ברית' 'ברית'.

Rather, this principle is derived by means of a different verbal analogy from the word **covenant** that appears with regard to circumcision: "And you shall be circumcised in the flesh of your foreskin; and it shall be a sign of the covenant between Me and you" (Genesis 17:11), and the word **covenant** that appears with regard to Shabbat: "The children of Israel shall keep the Shabbat, to observe the Shabbat throughout their generations for a perpetual covenant" (Exodus 31:16).

גדול דכתיב ביה ברית – לידחי שבת!

The Gemara raises a difficulty: If this is so, then the circumcision of an adult should also be permitted on Shabbat and it should not be limited to a child on the eighth day, as the term **covenant is written with regard to him** as well, as it applies to any Jewish male not yet circumcised. Therefore, **let his circumcision override Shabbat**. The *halakha*, however, is that only circumcision at its proper time on the eighth day overrides Shabbat.

Ritual fringes and phylacteries overriding Shabbat – **צִיצִית וּתְפִלִּין שִׁדְּחוּ שַׁבָּת** – Obviously, this discussion does not refer to wearing ritual fringes, which is a mitzva on Shabbat as it is on every other day, or to donning phylacteries, which does not involve a desecration of Shabbat. Rather, the issue is whether or not one may prepare the fringes and phylacteries for the observance of the mitzva on Shabbat.

יהא – A non-priest should be fit to sacrifice them – **יִזְכֹּר כָּשֶׁר בְּהֵן**: A question is raised in *Tosafot*: How can the Gemara suggest that these sacrifices could be offered by anyone other than a priest when the Torah itself states clearly that these offerings must be sacrificed by a priest? The Rashba answers that the question with regard to the non-priest is not meant literally. The non-priest was mentioned as a prelude to the main question regarding the acute mourner. According to the Ramban, the question presumes that the word priest in the verse does not prove that offering sacrifices is limited to a priest. Rather, the Torah may have been teaching that although a priest should offer the sacrifices *ab initio*, if a non-priest offered them, they are valid after the fact.

The verse has restored this – הָא אֶהְדִּירָה קְרָא – This is an example of one of the thirteen hermeneutical principles by which the Torah is expounded: When a particular case, though included in the general statement, is explicitly mentioned with a new provision, the terms of the general statement no longer apply to it unless the Torah explicitly indicates that they do apply. If a *halakha* diverges from some general principle, one would assume that it was excluded entirely from that principle and that the guidelines of the general principle do not apply to it. Only if it is determined that the Torah explicitly restored the specific case to that principle can the conclusion be drawn that the exception was only with regard to the stated issue.

אֵלָּא: אֶתִּיא דְּדוֹרוֹת דְּדוֹרוֹת.

צִיצִית דְּכִתְבִּי בִּיה דְּדוֹרוֹת לִידְחֵי שַׁבָּת!

אֵלָּא אָמַר רַב נַחֲמָן בְּרִי יִצְחָק: דְּמִין 'אוֹת' 'בְּרִית' וְדוֹרוֹת מִ'אוֹת' 'בְּרִית' וְדוֹרוֹת – לְאִפּוֹקֵי הֵנָּךְ דְּחַד חַד הוּא דְּכִתְבִּי בְּהֵן.

וְרַבִּי יוֹחָנָן אָמַר: אָמַר קְרָא 'בִּיּוֹם' – בִּיּוֹם אֶפִּילוּ בְּשַׁבָּת.

אָמַר לִיה רִישׁ לְקִישׁ לְרַבִּי יוֹחָנָן: אֵלָּא מַעֲתָה, מְחוּסְרֵי כְּפָרָה דְּכִתְבִּי בְּהוּ 'בִּיּוֹם' – הָכִי נִמְי דְּדָחוּ שַׁבָּת! הָהוּא מִיבְּעֵי לִיה 'בִּיּוֹם' – וְלֹא בְּלֵילָה.

הָאִי נִמְי מִיבְּעֵי לִיה 'בִּיּוֹם' וְלֹא בְּלֵילָה! הָהוּא מִ'בֵּין שְׁמִנַת יָמִים" נִפְקָא.

הָאִי נִמְי מִ'בִּיּוֹם צוּתוֹ' נִפְקָא!

אִף עַל גַּב דְּנִפְקָא מִ'בִּיּוֹם צוּתוֹ' אֶצְטְרִיכָא, סְלָקָא דַּעֲתָךְ אָמִינָא: הוּאִיל וְחָס רַחֲמֵנָא עָלֶיהָ לְאַתְנוּי בְּדִלּוֹת, בְּלֵילָה נִמְי לִיְתִי – קָא מְשַׁמַּע לָן.

מִתְקִיף לָהּ רַבִּינָא: אֵלָּא מַעֲתָה – יִהְיָ זֶר בָּשִׁר בְּהֵן, וְיִהְיָ אוֹנָן בָּשִׁר בְּהֵן! הָא אֶהְדִּירָה קְרָא.

Rather, this *halakha* is derived by means of a verbal analogy between the word **generations** that appears with regard to Shabbat: “Throughout their generations for a perpetual covenant” (Exodus 31:16), and the word **generations** that appears with regard to circumcision: “And I shall establish My covenant between Me and you, and between your seed after you throughout their generations, for an everlasting covenant” (Genesis 17:7).

The Gemara asks: If so, **let ritual fringes too, with regard to which the term generations is also written, override Shabbat**, and it should be permitted to affix ritual fringes to a garment on Shabbat.^N

Rather, Rav Nahman bar Yitzhak said: This *halakha* is derived not from one common word alone, but **one derives it based upon the three words sign, covenant, and generations** that appear with regard to circumcision, **from sign, covenant, and generations** that appear with regard to Shabbat, **to the exclusion of these**, i.e., ritual fringes and phylacteries, **that with regard to each of them, one of these is written** but not all three words together.

And Rabbi Yohanan said: **The verse says: “And on the eighth day... shall be circumcised”** (Leviticus 12:3), which means that the child is circumcised **on the eighth day** whenever it occurs, **even on Shabbat**.

Reish Lakish said to Rabbi Yohanan: **But if what you say is so**, then, with regard to **those lacking atonement**, such as a *zav* or a healed leper, who must after their immersion still bring an atonement offering in order to complete their purification process, **with regard to whom the term on the day is also written**, as in the verse: “And on the eighth day he shall take two he-lambs without blemish, and one ewe-lamb of the first year without blemish” (Leviticus 14:10), **sacrificing their atonement offerings should also override Shabbat**. Rabbi Yohanan responded: **That verse is necessary to teach that the sacrifice must be brought during the day and not at night**.

Reish Lakish asked: **This verse with regard to the mitzva of circumcision is also necessary to teach that circumcision must be performed during the day and not at night**. Rabbi Yohanan replied: **That is derived from a different verse**, which states: “And he that is eight days old shall be circumcised among you throughout your generations” (Genesis 17:12). That circumcision must take place during the day is derived from that verse.

Reish Lakish says: **That matter**, that the atonement offering must be sacrificed during the day, can **also be derived from a different verse**, as it is stated: “This is the law of the burnt-offering, of the meal-offering, and of the sin-offering, and of the guilt-offering, and of the consecration-offering, and of the sacrifice of the peace-offerings; which the Lord commanded Moses at Mount Sinai **on the day He commanded the children of Israel to present their offerings to the Lord in the wilderness of Sinai**” (Leviticus 7:37–38), and from here **it is derived** that all offerings are sacrificed by day and not at night.

The Gemara answers: **Although this halakha is derived from: “On the day He commanded,”** an additional source is **necessary** for those lacking atonement. **It might have entered your mind to say that since the Torah shows him mercy by allowing him to bring an offering of poverty**, as if one cannot afford to sacrifice the regular atonement offering, the Torah enables him to sacrifice a less costly one, **let him also bring it at night**, as perhaps the Torah shows him mercy and allows him to hasten his atonement. Therefore, **it teaches us** that he too must bring his offering only by day and not at night.

Ravina strongly objects to this reasoning: **But if what you say is so**, that the Torah has compassion on a person lacking atonement and is lenient with regard to the *halakhot* of the atonement offering, **a non-priest should be fit to sacrifice them**,^N and similarly, a priest who is an **acute mourner**, i.e., one whose relative died that same day and has not yet been buried, **should be fit to sacrifice them**. The Gemara answers: **The verse has restored this**.^N The additional verse that teaches that even one lacking atonement must sacrifice during the day, also teaches that the Torah was lenient with regard to this offering only in the ways explicitly stated in the Torah.

רב אחא בר יעקב אמר: אמר קרא
'שמיני' שמיני אפילו בשבת.

Rav Aḥa bar Ya'akov said: There is a different proof from the Torah that circumcision is performed even on Shabbat, for the verse said: "On the eighth day," underscoring that circumcision is performed specifically on the eighth day and indicating that it is performed even on Shabbat.

האי שמיני מיבעי ליה למעוטי שביעי!
שביעי – מבין שמונת ימים נפקא.

The Gemara raises a difficulty: This usage of the term eighth is necessary to exclude the seventh day, i.e., a child may not be circumcised before the eighth day. The Gemara answers: The fact that one may not circumcise on the seventh day is derived from a different verse, as it is stated: "And he that is eight days old shall be circumcised among you throughout your generations" (Genesis 17:12).

ואכתי מיבעי ליה, חד – למעוטי שביעי,
וחד – למעוטי תשיעי; דאי מחד הוה
אמינא: שביעי הוא – דלא מטא זמניה,
אבל משמיני ואילך – זמניה הוא! אלא
מחזורתא כדרבי יוחנן.

The Gemara raises a further difficulty: Both verses are still necessary, one to exclude the seventh day and one to exclude the ninth day. As if it were derived from one verse alone, I would have said: It is on the seventh day that one may not circumcise, since the time to circumcise this child has not yet arrived and the obligation of circumcision is not yet in effect; however, from the eighth day and onward is its time, and therefore it is permissible to postpone a circumcision until the ninth day. No answer was found to this question, and the Gemara concludes: Rather, the derivation is clear according to Rabbi Yoḥanan.

תנא כוותיה דרבי יוחנן, ודלא כרב
אחא בר יעקב: 'שמיני' ימול' – אפילו
בשבת. ומה אני מקיים "מחלליה מות
יומת" – בשאר מלאכות חוץ ממילה, או
אינו אלא אפילו מילה, ומה אני מקיים
'שמיני' ימול' – חוץ משבת – תלמוד לומר
'ביום' – אפילו בשבת.

It was taught in a *baraita* in accordance with the opinion of Rabbi Yoḥanan and not in accordance with the opinion of Rav Aḥa bar Ya'akov, as the *tanna* interprets the phrase: "On the eighth day he shall be circumcised" to mean that the circumcision must be performed even on Shabbat. And how do I fulfill the prohibition against performing prohibited labor explicit in the Torah in the verse: "And you shall guard the Shabbat, for it is holy to you; he who desecrates it shall surely die" (Exodus 31:14)? That is referring to other prohibited labors besides circumcision. The *tanna* questions his previous statement: Or perhaps that is not the case, and the prohibition of performing prohibited labor on Shabbat includes even circumcision, and, on the contrary, how do I fulfill the verse: "On the eighth day he shall be circumcised"? It applies when the eighth day is any day other than Shabbat. The verse states: "On the day," meaning on that very day when he turns eight days old, even on Shabbat. The *tanna* of this *baraita* rejects Rav Aḥa bar Ya'akov's proof and accepts Rabbi Yoḥanan's assertion that the phrase "On the day" conclusively establishes that circumcision is performed even on Shabbat.

אמר רבא: האי תנא, מעיקרא מאי קא
ניחא ליה, ולבסוף מאי קא קשיא ליה?

With regard to this *baraita*, Rava said: Initially, what did this *tanna* find acceptable, and ultimately, what did he find difficult? Initially he suggested that: "On the eighth day he shall be circumcised" is a valid source for the fact that circumcision overrides Shabbat, but ultimately, he deemed that difficult and turned to an alternative source, yet provided no reason, neither for his initial statement nor for his second statement.

הכי קאמר: 'שמיני' ימול' אפילו בשבת,
ומה אני מקיים "מחלליה מות יומת" –
בשאר מלאכות חוץ ממילה, אבל מילה
דחיא.

Rather, we can explain that this is what he is saying: "On the eighth day he shall be circumcised" applies even on Shabbat. And how do I fulfill: "He who desecrates it shall surely die"? That is referring to the other prohibited labors besides circumcision; however, circumcision overrides Shabbat.

מאי טעמא – קל וחומר הוא ומה צרעת
שדוחה את העבודה,

What is the reason for this? It is derived by means of an *a fortiori* inference: Just as leprosy, which overrides the Temple service, as a priest who is a leper may not serve in the Temple and it is prohibited to cut off the symptoms of leprosy,

NOTES

Alternatively, and from where do we know, etc. – אי נמי – According to the Maharshah, the words translated as alternatively should be erased, and only the following argument is offered: Perhaps Shabbat is stringent and leprosy is less stringent. However, according to the existing version of the text, two points are being raised, one relating to the great stringency of the mitzva of Shabbat, the second, that perhaps everything raised with regard to the *a fortiori* inference from the fact that leprosy overrides the Temple service is of no relevance to this argument.

A man afflicted with leprosy is unfit – גברא הוא דלא חזי – This explanation should be understood as follows: It is not the stringency of the prohibition against cutting a bright white leprosy spot that overrides the Temple service. Rather, the Temple service cannot be performed in this case, because the person is not fit to perform it at that time. In other words, the prohibition against a leper being involved with the Temple service should be seen as merely a delay that prevents the priest from serving, similar to any other delay that might occur when he comes to serve. Consequently, one cannot conclude that the cause of the delay is more important than the service itself.

HALAKHA

Circumcision overrides leprosy – מילה דוחה את הצרעת – Circumcision overrides leprosy. If there is a bright white leprosy spot on the foreskin, the child is circumcised, even though cutting the bright spot is a violation of a negative mitzva (Rambam *Sefer Ahava*, *Hilkhot Mila* 1:9 and *Sefer Tahara*, *Hilkhot Tumat Tzara'a* 10:5; *Shulhan Arukh*, *Yoreh De'a* 266:1).

Overrides a Festival only when performed at its appointed time – יום טוב אינה דוחה אלא בזמנה בלבד – Performing a circumcision, on the eighth day overrides Shabbat and, all the more so, a Festival. However, performing a circumcision at any time after the eighth day does not override Shabbat or a Festival (Rambam *Sefer Ahava*, *Hilkhot Mila* 1:9 and *Sefer Tahara*, *Hilkhot Tumat Tzara'a* 10:5; *Shulhan Arukh*, *Yoreh De'a* 266:2).

ועבודה דוחה את השבת – מילה דוחה אותה. שבת שנגדחת מפני העבודה – אינו דין שתהא מילה דוחה אותה?

ומאי 'או אינו' דקאמר – הדר אומר: וממאי דצרעת חמורה? דילמא שבת חמורה, שכן יש בה עונשין ואזהרות הרבה. (אי נמי) וממאי משום דחמירא צרעת היא – דילמא משום גברא הוא דלא חזי? ומה אני מקיים 'שמיני ימול' – חוץ משבת, תלמוד לומר 'ביום' – אפילו בשבת.

תנו רבנן: מילה דוחה את הצרעת בין בזמנה בין שלא בזמנה. יום טוב אינה דוחה אלא בזמנה בלבד.

מנהני מילי? דתנו רבנן: "ימול בשר ערלתו" – ואף על פי שיש שם בהרת יקוצץ. ומה אני מקיים "השומר בנגע הצרעת" – בשאר מקומות חוץ ממילה.

או אינו אלא אפילו מילה, ומה אני מקיים "ימול בשר ערלתו" – בזמן שאין בה בהרת? תלמוד לומר: 'בשר' – ואף על פי שיש שם בהרת.

אמר רבא: האי תנא, מעיקרא מאי נחא ליה ולבסוף מאי קשיא ליה?

and the Temple service overrides Shabbat, as Shabbat offerings are sacrificed at their appointed time, and nevertheless **circumcision overrides leprosy**, i.e., if there were symptoms of leprosy on the foreskin of the baby, one circumcises the child even though he thereby violates the prohibition to cut off symptoms of leprosy; therefore, with regard to **Shabbat, which is overridden by the Temple service, is it not logical that circumcision, which is so stringent that it overrides leprosy, overrides Shabbat as well?** This was the *tanna's* reasoning at the outset.

And what was the reason the *tanna* said: Or perhaps, and questioned his previous statement? He reconsidered and said: And from where do we know that leprosy is more stringent than Shabbat? Perhaps Shabbat is more stringent, as it includes the severe punishments of *karet* and execution by stoning, and numerous warnings pertaining to it throughout the Torah. Alternatively, and from where do we knowⁿ that the reason the Temple service does not override the prohibition of leprosy is specifically because leprosy is more stringent than the Temple service? Perhaps the Temple service does not override the prohibition of leprosy because a man afflicted with leprosy is unfitⁿ to perform the Temple service and not due to the stringency of the prohibition to remove symptoms of leprosy from one's body. And if so, how do I establish the verse: "And on the eighth day the flesh of his foreskin shall be circumcised" (Leviticus 12:3)? That it applies to days other than Shabbat. Consequently, the *tanna* cited additional proof from that which the Torah states: "On the day," indicating that circumcision is performed even on Shabbat.

The Sages taught: Circumcision overrides leprosy.ⁿ The foreskin is cut even if it has symptoms of leprosy on it, despite the fact that there is a Torah prohibition to cut off symptoms of leprosy. This is the *halakha* both when the circumcision takes place at its appointed time, on the eighth day, or when it is not performed at its appointed time but after the eighth day. However, circumcision overrides a Festival only when performed at its appointed time.ⁿ

The Gemara asks: From where are these matters derived? As the Sages taught in a *baraita* with regard to the verse: "And on the eighth day the flesh of his foreskin shall be circumcised" (Leviticus 12:3), since this verse is stated in general terms, it teaches that even though there is a bright white leprosy spot there, he should cut it. And how do I establish the verse: "Take care with regard to the plague of leprosy to take great care and to perform in accordance with all that the priests, the Levites, instruct you; as I commanded them you shall take care to perform" (Deuteronomy 24:8)? Does usage of the term "take care" indicate that there is a negative mitzva that prohibits cutting off symptoms of leprosy? We establish this prohibition as applying in other places, other than the place of a circumcision.

The *tanna* asks: Or perhaps that is not the case; rather, this prohibition applies even in the place of circumcision, and how do I validate the verse: "The flesh of his foreskin shall be circumcised"? It applies when there is no bright white leprosy spot on the foreskin. So that we will not interpret the verse that way, the verse states the superfluous word **flesh**. It would have been sufficient to state: His foreskin shall be circumcised, but instead the verse stated: "The flesh of his foreskin shall be circumcised," indicating that the foreskin must be removed even though there is a bright white spot there.

Rava said: Initially, what did this *tanna* find acceptable, and ultimately, what did he find difficult? At first he assumed that the mitzva of circumcision is more stringent, but he ultimately rejected this assumption with no explanation.

It is derived from a combination – **אֵתָיָא מִבֵּינָא**: Deriving a new *halakha* based on a common denominator is an accepted method. While it was impossible to derive the new *halakha* from one existing *halakha*, it was possible to derive the new *halakha* from the common denominator of two existing *halakhot*.

הָכִי קָאָמַר: "וּמֹל בָּשָׂר עָרְלָתוֹ" – וְאֵף עַל פִּי שֵׁשׁ בְּהֶרֶת, וּמָה אֲנִי מְקַיֵּם "הַשְּׂמֹר בְּנִגְעַת הַצִּרְעָת" – בְּשָׂאָר מְקוֹמוֹת חוּץ מִמִּלָּה, אֲבָל מִלָּה דוֹחָה אֶת הַצִּרְעָת. מֵאִי טַעְמָא? דְּאֵתָיָא מִקֵּל וְחוֹמֶר; וּמָה שְׁבֻעַת חֲמוּרָה – מִלָּה דוֹחָה אוֹתָהּ, צִרְעָת לֹא כָּל שְׁבֻעָה?

Rather, **this is what he is saying**: Initially he held that the phrase: **The flesh of his foreskin shall be circumcised** teaches that it is permitted to remove the foreskin **even though there is a bright white spot there**. And how do I validate the following verse: **Take care with regard to the plague of leprosy?** It applies in **other places**, aside from the place of circumcision, but **circumcision overrides leprosy**. What is the reason for this? It is derived by means of an *a fortiori* inference: Just as Shabbat is stringent and nevertheless **circumcision overrides it**, **all the more so** that circumcision overrides leprosy, which is less stringent than Shabbat.

וּמֵאִי "אוֹ אֵינוֹ" דְּקָאָמַר – הֲדַר קָאָמַר: מִמֵּאִי דְשֻׁבָּת חֲמִירָא, דִּילְמָא צִרְעָת חֲמִירָא? שְׁבֻעַת דוֹחָה אֶת הָעֲבוּדָה, וְעֲבוּדָה דוֹחָה אֶת הַשְּׁבֻעָה! תִּלְמוּד לומר: 'בָּשָׂר' – וְאֵף עַל פִּי שֵׁשׁ שָׁם בְּהֶרֶת.

And what was the reason for the term or perhaps that the *tanna* is saying to question his previous statement? He reconsidered and said: From where do we know that Shabbat is more stringent? Perhaps leprosy is more stringent, as leprosy overrides the Temple service, as stated earlier, and the Temple service overrides Shabbat. Therefore, the verse states the additional word *flesh*, to teach that the foreskin is removed **even though there is a bright white leprous spot there**.

לִישָׁנָא אַחֲרֵינָא: מִלָּה דוֹחָה אֶת הַצִּרְעָת מֵאִי טַעְמָא – דְּאֵתָיָא עֲשֵׂה וְדָחִי לֹא תַעֲשֶׂה, וּמֵאִי "אוֹ אֵינוֹ" דְּקָאָמַר – הֲדַר קָאָמַר: אֵימַר דְּאִמְרִינָן דְּאֵתָיָא עֲשֵׂה וְדָחִי אֶת לֹא תַעֲשֶׂה – לֹא תַעֲשֶׂה גְרִידָא, הֲאִי עֲשֵׂה וְלֹא תַעֲשֶׂה הוּא. וּמָה אֲנִי מְקַיֵּם "וּמֹל בָּשָׂר עָרְלָתוֹ" – בְּזִמְנָן שְׂאִין בֵּה בְּהֶרֶת! תִּלְמוּד לומר: 'בָּשָׂר' – וְאֵף עַל פִּי שֵׁשׁ שָׁם בְּהֶרֶת.

The Gemara cites **another version** of Rava's comments. Initially the *tanna* thought that **circumcision overrides leprosy**. What is the reason for this? He relied on the principle that **a positive mitzva comes and overrides a negative mitzva**. And what was the reason the *tanna* is saying: **Or perhaps** to question his previous statement? He reconsidered and said: **Say that we say that a positive mitzva comes and overrides a negative mitzva** when there is a **negative mitzva alone**. However, **this cutting off leprosy is prohibited by both a positive mitzva and a negative mitzva**. And how do I establish the verse: **The flesh of his foreskin shall be circumcised?** It applies only **when there is no bright white spot on the foreskin**. Therefore, the verse states the additional word *flesh* in order to emphasize that the foreskin is removed, **even though there is a bright white spot there**.

תִּינַח גְּדוּל דְּכָתִיב בְּהוּ 'בָּשָׂר', קִטְּנִי כָתִיב בֵּיה 'בָּשָׂר', בִּינוּנִי מְנַלָּה?

The Gemara questions the derivation from the word *flesh*: This works out well with regard to the circumcision of an **adult** who has not yet been circumcised, as the word *flesh* is written with regard to adults in the verse: "And an uncircumcised male who will not circumcise the flesh of his foreskin, that soul shall be cut off from its people; My covenant he has broken" (Genesis 17:14). Similarly, it works out well with regard to a **minor** who is circumcised on the eighth day, as the superfluous word *flesh* is also written with regard to him. However, with regard to a person at an **intermediate** stage of life, i.e., a child who was not circumcised on the eighth day but has not yet reached majority, **from where do we derive** that his circumcision overrides leprosy? The Torah explicitly mandates his circumcision: "Circumcise for yourselves every male" (Genesis 17:10). However, that verse does not employ the term *flesh*.

אָמַר אַבְיִי: אֵתָיָא מִבֵּינָא; מְגִדוּל לֹא אֵתָיָא – שְׁבֻעַת עֲנוּשׁ בְּרִית, מְקַטְּנִי לֹא אֵתָיָא – שְׁבֻעַת מִלָּה בְּזִמְנָהּ, הִצֵּד הַשְּׂוֹה שְׁבָהָן – שְׁבֻעַת נִמְוָלִין וְדוֹחִין אֶת הַצִּרְעָת, אֵף כָּל שְׁנִימוּלִין דוֹחִין אֶת הַצִּרְעָת.

Abaye said: It is derived from a combination^N of the two sources about the status of a child at the intermediate stage, from the common denominator between an eight-day-old and one who reached majority. **From an adult alone**, the *halakha* with regard to an intermediate child **cannot be derived**, as an adult is **punishable by karet** if he fails to circumcise himself, but an intermediate child is not punishable by *karet*. Likewise, **from the case of an eight-day-old child**, the case of an intermediate child **cannot be derived**; since the **circumcision at its time overrides Shabbat** it may also override leprosy. However, the **common denominator** between an eight-day-old and an adult is that **they are circumcised and their circumcision overrides leprosy**. So too, **all who are circumcised**, including those in the intermediate stage, **override leprosy**.

רַבָּא אָמַר: מִלָּה בְּזִמְנָהּ דוֹחָה לֹא צָרִיכָא קְרָא, מִקֵּל וְחוֹמֶר אֵתָיָא; וּמָה שְׁבֻעַת דְּחֲמִירָא – דוֹחָה, צִרְעָת לֹא כָּל שְׁבֻעָה!

Rava said: No verse is required to teach that **circumcision at its appointed time overrides leprosy**, as it is derived by means of an *a fortiori* inference: Just as **circumcision overrides Shabbat**, which is more stringent than leprosy, **all the more so** that circumcision overrides leprosy.

Pure symptoms of leprosy – נִגְעִים טְהוֹרִים: Some commentators explain that the expression pure symptoms of leprosy refers to various intermediate stages of leprosy, e.g., when the priest commands that the afflicted person be quarantined until it can be determined conclusively whether or not the leprosy has spread. Even though this person is not yet impure or considered a leper, it is nevertheless prohibited to remove the symptoms, because it is possible that impure signs might develop from them (*Tosafot*). The phrase pure leprosy is a rabbinic term. The Torah only recognizes impure leprosy. If it is pure, the Torah does not refer to it as leprosy but in some other way (Rabbi Betzalel Regensburg).

Ritual fringes and diverse kinds – צִיצִית וְכִלְאִים: The cases cited here are not classic examples of positive mitzvot overriding negative mitzvot, because both cases mentioned here are derived from a particular source. The *halakha* in the case of leprosy and circumcision is derived from an *a fortiori* inference, and the *halakha* in the case of ritual fringes and diverse kinds is based on a juxtaposition of verses. Nevertheless, the following principle learned from these cases applies to other laws: The positive commandment overrides the negative commandment only when the fulfillment of the positive commandment is simultaneous with the violation of the negative commandment (Ramban; see *Me'iri*).

אָמַר לִיה רַב סָפְרָא לְרַבָּא: מִמַּאי דְּשַׁבַּת חֲמִירָא? דִּילְמָא צְרַעַת חֲמִירָא, שְׂכֵן דּוּחָהּ אֶת הָעֲבוּדָה, וְעֲבוּדָה דּוּחָהּ אֶת הַשְּׁבִת! הֵתָם, לֹא מִשּׁוּם דְּחֲמִירָא צְרַעַת, אֲלָא מִשּׁוּם דְּגִבְרָא הוּא דְּלֹא חֲזִי. אֲמַאי? וְיִקְוֶץ בְּהִרְתּוֹ וְיַעֲבֹד! מְחוּסָר טְבִילָה הוּא.

תִּינַח – נִגְעִים טְהוֹרִים, נִגְעִים טְהוֹרִים – מַאי אֵיכָא לְמִימַר?

אֲלָא אָמַר רַב אֲשִׁי: הִכָּא אָמְרִין דְּאֵתִי עֲשֵׂה וְדָחִי לֹא תַעֲשֶׂה – כְּגוֹן מִילָה בְּצֻרַת, אִי נִמִּי צִיצִית וְכִלְאִים, דְּבִעֻדָּנָא דְּמִתְעַקֵּר לֹא – קָא מוֹקִים עֲשֵׂה. הִכָּא, בְּעִידָנָא דְּמִתְעַקֵּר לֹא – לֹא קָא מוֹקִים עֲשֵׂה.

וְהָא דְּרַבָּא וְרַב סָפְרָא

Rav Safra said to Rava: From where do we know that Shabbat is more stringent? Perhaps leprosy is more stringent, as leprosy overrides the Temple service, and the Temple service overrides Shabbat. Rava answered: There, when leprosy overrides the Temple service, it is not because leprosy is more stringent; rather, it is because the man afflicted with leprosy is unfit for the Temple service. Rav Safra asked: Why is he unfit? Let him cut off his bright white leprous spot and serve. Rava answered: He would remain unfit to serve, as he is lacking immersion. In order to purify himself for service in the Temple, he must immerse himself and wait until the following day. In the meantime he is unfit.

Rav Safra raised a difficulty: It works out well if we are referring to impure symptoms of leprosy, as even one who removes them must immerse afterward. However, with regard to pure symptoms of leprosy,ⁿ there is a prohibition to cut off the symptoms even though there is no impurity. They have the legal status of blemishes that invalidate a priest from serving until it is cured. Once the bright white spot is removed, he may immediately serve in the Temple without immersion. What is there to say in that case?

Rather, Rav Ashi said that this is the reason that leprosy overrides the Temple service: Where do we say that a positive mitzva overrides a negative mitzva? It is in cases like circumcision in a case of leprosy, or alternatively, ritual fringes and diverse kindsⁿ of wool and linen, as at the time the negative mitzva is uprooted, the positive mitzva is fulfilled in the very same action, e.g., when the ritual fringes are woollen and will be attached to a linen garment, a prohibited mixture is created. However, here, in the case of a person afflicted with pure symptoms of leprosy cutting off his symptoms to enable his involvement in the Temple service, it is different, at the time the negative mitzva is uprooted, the positive mitzva is not yet fulfilled, as cutting off the symptoms is only a preliminary action that enables him to serve. In that case, the positive mitzva does not override the negative one.

The Gemara points out that this disagreement between Rava and Rav Safra

Perek XIX

Daf 133 Amud a

תִּנָּאִי הִיא: דְּתַנָּא: 'בִּשְׂר' וְאֵף עַל פִּי שֵׁשׁ שָׁם בְּהֶרֶת יְמוּל, דְּבִרִּי רַבִּי יֹאשִׁיָּהּ. רַבִּי יוֹנָתָן אָמַר: אֵינוּ צָרִיךְ, שְׁבֵת חֲמוּרָה – דּוּחָהּ, צְרַעַת – לֹא כָּל שְׂכָן!

אָמַר מַר: 'בִּשְׂר' אֵף עַל פִּי שֵׁשׁ שָׁם בְּהֶרֶת יְמוּל דְּבִרִּי רַבִּי יֹאשִׁיָּהּ. הָא לְמָהּ לִי קְרָא? דְּבִר שְׂאִין מִתְכַּוֵּן הוּא, וְדָבָר שְׂאִין מִתְכַּוֵּן – מוֹתֵר!

is a dispute of *tanna'im*, as it was taught in a *baraita*: The term flesh comes to teach that even though there is a bright white spot there, one should circumcise; this is the statement of Rabbi Yoshiya. Rabbi Yonatan says: There is no need for this derivation from the word flesh in the verse. Rather, the same law can be derived by means of an *a fortiori* inference: If circumcision overrides Shabbat, which is stringent, all the more so that it overrides leprosy.

We earlier learned that the Master said: When the verse states the term flesh, it comes to teach that even though there is a bright white spot there, one should circumcise; this is the statement of Rabbi Yoshiya. Rabbi Yonatan agrees with this *halakha*, albeit for a different reason. The Gemara addresses the fundamental question: Why do I need a verse to derive this? The removal of leprous skin is an unintentional act. One does not intend to cut the symptom of leprosy; he intended to circumcise the baby. And the general rule is that an unintentional act is permitted. Consequently, there is no need for a special derivation in this case.

אמר אביי: לא נצרכא אלא לרבי יהודה, דאמר: דבר שאין מתכוין אסור. ורבי אמר: אפילו תימא רבי שמעון, מודה רבי שמעון בפסיק רישיה ולא ימות. ואביי לית ליה האי סברא? והא אביי ורבי דאמרי תרווייהו: מודה רבי שמעון בפסיק רישיה ולא ימות! בתר דשמעה מרבא סברה.

איכא דמתני להא דאביי ורבי אהא: "השומר בנגע הצרעת לשמור מאד ולעשות", לעשות – אי אתה עושה, אבל עושה אתה בסיב ששל גבי רגלו ובמוט ששל גבי בתיפו. ואם עברה – עברה.

והא למה לי קרא? דבר שאין מתכוין הוא, ודבר שאין מתכוין מותר! אמר אביי: לא נצרכא אלא לרבי יהודה, דאמר: דבר שאין מתכוין אסור. ורבי אמר: אפילו תימא רבי שמעון, ומודה רבי שמעון בפסיק רישיה ולא ימות. ואביי לית ליה האי סברא? והא אביי ורבי דאמרי תרווייהו: מודה רבי שמעון בפסיק רישיה ולא ימות! לבתר דשמעה מרבא – סברה.

ואביי אליבא דרבי שמעון, האי בשר' מאי עביד ליה? אמר רב עמרם: באומר: לקוץ בהרתו הוא מתכוין.

תינת גדול, קטן מאי איכא למימר? אמר רב משרשיא: באומר אבי הון לקוץ בהרת דבנו הוא קא מתכוין.

ואי איכא אחר – ליעביד אחר, דאמר רבי שמעון בן לקיש: כל מקום שאתה מוצא עשה ולא תעשה, אם אתה יכול לקיים שניהם – מוטב, ואם לאו – יבא עשה ויזכה לא תעשה! דליכא אחר.

Abaye said: This derivation is only necessary according to the opinion of Rabbi Yehuda, who said that an unintentional act is prohibited. Rava said: Even if you say that it is according to the opinion of Rabbi Shimon, who holds that an unintentional act is permitted, as Rabbi Shimon concedes to Rabbi Yehuda in the case of: **Cut off its head and will it not die**, i.e., an unintentional act from which a prohibited labor ensued as an inevitable consequence. In that case, the one who performs the action cannot claim that the outcome was unintended. In the case of circumcising a leprous foreskin, the removal of leprosy is an inevitable consequence of the circumcision. The Gemara asks: **And does Abaye not accept this reasoning? Wasn't it Abaye and Rava who both say that Rabbi Shimon concedes to Rabbi Yehuda that in the case of: If you cut off its head will it not die?** The Gemara answers: **After Abaye heard this principle from Rava, he accepted it.**

Some teach that which Abaye and Rava said as referring to this *baraita*. The verse states: **"Take heed with regard to the plague of leprosy that you observe diligently and do in accordance with all that the priests, the Levites, instruct you; as I commanded them you shall take care to do"** (Deuteronomy 24:8). The Sages derived from here that **to do something in order to remove leprosy directly, you may not do,**ⁿ **but you may do something that will indirectly remove one's symptom, such as tying a thick rope on his foot,^h and placing a rod on his shoulder.** This is permitted even though there is a bright white spot present, **and if the bright white spot is thereby removed, it is removed.**

The Gemara asks: **Why do I need a verse to address this?**ⁿ **It is an unintentional act, and an unintentional act is permitted.** Abaye said: This derivation is only necessary according to the opinion of Rabbi Yehuda, who said that an unintentional act is prohibited. Rava said: **Even if you say that it is according to the opinion of Rabbi Shimon, who holds that an unintentional act is permitted, as Rabbi Shimon concedes to Rabbi Yehuda in the case of: If you cut off its head will it not die?** The Gemara asks: **And does Abaye not accept this reasoning? Wasn't it Abaye and Rava who both say that Rabbi Shimon concedes to Rabbi Yehuda that in the case of: Cut off its head and will it not die?** The Gemara answers: **After Abaye heard this principle from Rava, he accepted it.**

The Gemara clarifies: According to Abaye's initial understanding of the *halakha* in accordance with the opinion of Rabbi Shimon, i.e., even the inevitable consequence of an unintended act is permitted, **what does he do with this term flesh**, which appears in the verse with regard to circumcision? Rav Amram said: This term teaches that even in a case where the person who is circumcising himself says explicitly that **his intention is also to cut off the bright white spot**, the circumcision nonetheless overrides the prohibition to remove symptoms of leprosy.

The Gemara asks: This **works out well** in the case of an adult who intends to perform the prohibited act. With regard to the circumcision of a minor, who has no intention at all, **what is there to say**, i.e., how does this teaching apply? Rav Mesharshiya said: The teaching applies in a case **where the father of the circumcised child says that his intention is to cut off his son's bright white leprous spot.**

The Gemara asks: In that case, **if there is another person present** who can circumcise the child, **let the other person perform** the circumcision. Presumably the other person will not intend to excise the bright white spot but rather will intend to fulfill the mitzva of circumcision, and no transgression will be committed, as Rabbi Shimon ben Lakish said: **Any place that you find positive and negative mitzvot^h that clash with one another, if you can find some way to fulfill both, that is preferable; and if that is not possible, the positive mitzva will come and override the negative mitzva.**ⁿ Here it is possible to fulfill both the positive and negative mitzvot by having another person perform the circumcision. The Gemara answers: This is a case **where there is no other person** to perform circumcision; only the boy's father can circumcise him. Therefore, a particular verse is needed to teach us that the mitzva of circumcision overrides the prohibition to cut off symptoms of leprosy.

אי אתה עושה – The Rashba questions the version in the Gemara because the phrase you may not do implies that there is a prohibition to perform an action that removes the symptoms of leprosy, in which case there are both negative and positive mitzvot pertaining to leprosy. Therefore, the Rashba accepts Rashi's version of the text, which reads as follows: You may do. This means that the mitzva to take care with regard to leprosy does not prevent a person from performing other tasks in their usual manner, even if the result will be the removal of the symptoms.

והא – Why do I need a verse to address this, etc. – **למה לי קרא וכו'** – If the removal of a leprous symptom is permitted when there is no performance of a mitzva, as in the case of a thick rope, why is it necessary to derive from a verse that it is permitted to remove a leprous symptom when performing a mitzva? Some commentaries explain that the verse teaches that even if one intends to remove the leprous symptoms and does not do so in an unusual manner, he may still perform a circumcision (Rashba).

The positive mitzva will come and override the negative mitzva – יבא עשה ויזכה לא תעשה – Rav Nissim Gaon explains this issue at length. In his view, the reason that positive mitzvot override negative mitzvot is not because the former are more stringent or more significant. Rather, the positive mitzva is seen as limiting the scope of the prohibition. The Sages taught that the verses: "He who desecrates it [Shabbat] shall surely die" (Exodus 31:14) and "On the Shabbat day two sheep [shall be offered]" (Numbers 28:9) were stated in a single utterance. This teaching should be understood along similar lines. Indeed, the verses are not contradictory. Rather, the positive mitzva to offer sacrifices on Shabbat limits the scope of the prohibition against performing labor on Shabbat. The same principle can be said to apply to other mitzvot. However, when both a positive and a negative commandment pertain to the same mitzva, it cannot be said that a separate positive mitzva comes and limits its scope, since this act already includes a positive mitzva.

HALAKHA

But you may do so by tying a thick rope, etc. – יבא עושה ויזכה לא תעשה – The Torah prohibits the removal of the symptoms of leprosy. It is permissible, however, for the leper to act in a usual manner and carry a rod on his shoulder or tie a thick rope around his leg, even if there is a bright white spot there. If the signs of impurity are thereby removed, there is no violation of the Torah prohibition as long as the leper did not intend to remove them (Rambam *Sefer Tahara*, *Hilkhot Tumat Tzara* at 10:1).

Any place that you find positive and negative mitzvot, etc. – יבא עושה ויזכה לא תעשה – Whenever a positive and a negative mitzva clash, it is preferable if one can fulfill both. However, if this is not possible, the positive mitzva overrides the negative one (Rambam *Sefer Ahava*, *Hilkhot Tzitzit* 3:6).

Circumcision on a Festival could have been derived through an *a fortiori* inference – מילה ביום טוב מקל וחומר – In some editions, the Gemara delineates the *a fortiori* inference in the following manner: Just as one's own needs override the prohibition of labor on a Festival, all the more so circumcision, which is a mitzva, overrides the prohibition of labor on a Festival (Rabbeinu Zerahya HaLevi). According to Rashi and others, this is not a valid *a fortiori* inference because eating and drinking on a Festival are included among the mitzvot of the day, and they are not considered the exclusive needs of the individual. Rather, the *a fortiori* inference that can be applied here is the one used in the case of circumcision on Shabbat, i.e., the derivation from the Temple service and leprosy (Rashba).

אמר ר' יוס טוב אינה דוחה אלא
בזמנה בלבד. מנא הני מילי?

אמר חזקיה, וכן תנא דבי חזקיה:
אמר קרא "לא תותירו ממנו עד
בקר" שאין תלמוד לומר 'עד בקר'.
מה תלמוד לומר 'עד בקר' – בא
הכתוב ליתן לו בקר שני לשריפתו.

אביי אמר: אמר קרא "עולת שבת
בשבתו" – ולא עולת חול בשבת,
ולא עולת חול ביום טוב.

רבא אמר: אמר קרא "הוא לבדו
יעשה לכם", 'הוא' – ולא מבשריו,
'לבדו' – ולא מילה שלא בזמנה,
דאיתא מקל וחומר.

רב אשי אמר: 'שבתון' עשה הוא,
והוא ליה יום טוב עשה לא תעשה,
ואין עשה דוחה את לא תעשה
ועשה.

"כלל אמר רבי עקיבא וכו'". אמר רב
יהודה אמר רב: הלכה כרבי עקיבא.

We learned earlier that the Master said that circumcision **only overrides a Festival when the circumcision takes place at its proper time**, on the eighth day after birth. The Gemara asks: **From where are these matters derived?**

Hizkiya said, and likewise one of the Sages of the school of Hizkiya taught: **The verse states with regard to the Paschal lamb:** "And you shall not leave any of it until morning; but that which remains of it until morning you shall burn with fire" (Exodus 12:10). This verse contains a superfluous phrase, as the Torah did not need to state until morning the second time; it would have been sufficient to state: But that which remains of it you shall burn with fire. Rather, **why does the Torah state until morning? The verse comes to provide him with the second morning for burning.** Leftover meat of the Paschal lamb is not burned on the following morning, which is a Festival, but rather on the following day, the first of the intermediate days of the Festival. Even though the labor of kindling a fire is not entirely prohibited on a Festival, as one may cook and bake, it is derived from here that kindling a fire is permitted only for the purpose of preparing food for the immediate needs of the day and not for purposes that can be postponed until the intermediate days. Similarly, since circumcision involves a prohibited labor, it is permitted on the eighth day only when there is no option of postponing it. Otherwise, doing so is prohibited.

Abaye said there is a different source for the fact that only circumcision on the eighth day overrides the Festival, as the verse stated: "The burnt-offering of each Shabbat on its Shabbat in addition to the continual burnt-offering and its libation" (Numbers 28:10). This verse teaches that one may **not sacrifice the burnt-offering of a weekday on Shabbat, and one may not sacrifice the burnt-offering of a weekday on a Festival.** Although slaughtering is permitted on a Festival for sustenance, it is nevertheless prohibited to slaughter animals for sacrifices other than those specifically mandated on the Festival. Temple service only overrides prohibited labor in the case of Temple service that is an essential obligation of that day. Similarly, circumcision only overrides the prohibition of labor when it is an essential obligation of that day, which is the case only on the eighth day; it is not the case after the eighth day.

Rava said there is a different proof, as the verse states with regard to Festivals: "And in the first day there shall be to you a holy convocation, and in the seventh day a holy convocation; no manner of work shall be done in them, save that which every man must eat; **that alone may be done for you**" (Exodus 12:16). The superfluous term "that" in the verse teaches the following: That which is necessary for food preparation itself is permitted **and not** actions that **facilitate** food preparation or which prepare utensils necessary for eating. Similarly, "that alone may be done" teaches: Only food preparation may be performed **and not circumcision that is not at its appointed time, which could have been derived through an a fortiori inference.**^N Therefore, the verse emphasizes that "that alone" may be performed, to teach that prohibited labors are permitted for sustenance on a Festival, and are not permitted for other mitzvot.

Rav Ashi said: The mitzvot of a Festival include not only a negative mitzva but also a positive one. There is a prohibition of labor as well as *Shabbaton*, an obligation to engage in solemn rest, which is a **positive mitzva, and therefore the observance of a Festival constitutes both a positive mitzva and a negative mitzva.** And there is a principle that a **positive mitzva does not override both a negative mitzva and a positive mitzva.**

We learned in the mishna: **A principle was stated by Rabbi Akiva:** Any prohibited labor that can be performed on Shabbat eve does not override Shabbat; however, any prohibited labor that cannot be performed on Shabbat eve overrides Shabbat. Rav Yehuda said that Rav said: The *halakha* is in accordance with the opinion of Rabbi Akiva in this matter.

Slaughtering the Paschal lamb on Shabbat – שחיטת פסח בשבת: The slaughtering of the Paschal lamb, the sprinkling of its blood, and all the other necessary requirements of the sacrifice override Shabbat, because their time is fixed by the Torah and they cannot be performed before Shabbat. However, preparations that can be performed the day before do not override Shabbat, in accordance with the opinion of Rabbi Akiva (Rambam *Sefer Korbanot, Hilkhot Korban Pesah* 1:18).

Preparing the necessities of circumcision on Shabbat – הכנת צרכי מילה בשבת: Every aspect of the circumcision may be performed on Shabbat; however, preparations for the circumcision do not override Shabbat (Rambam *Sefer Ahava, Hilkhot Mila* 2:6; *Shulhan Arukh, Oraḥ Hayyim* 331:1, 6 and *Yoreh De'a* 266:2).

Preparing medicine on Shabbat for the sake of circumcision – הכנת סמנים בשבת לצורך מילה: With regard to grinding cumin and mixing wine and oil to use as medications after the circumcision, if one failed to prepare them before Shabbat, one may prepare them on Shabbat in an unusual manner (Rambam *Sefer Ahava, Hilkhot Mila* 2:7; *Shulhan Arukh, Oraḥ Hayyim* 331:7 and *Yoreh De'a* 266:3).

LANGUAGE

Bandage [ispelanit] – איספלינית: From the Greek, σπλινιον, *spñlion*, meaning bandage or piece of cloth placed on a wound.

ותנן נמי גבי פסח כי האי גוונא: כלל אמר רבי עקיבא: כל מלאכה שאפשר לה לעשותה מערב שבת – אינה דוחה את השבת, שחיטה שאי אפשר לעשותה מערב שבת – דוחה את השבת. ואמר רב יהודה אמר רב: הלכה כרבי עקיבא.

וצריכא, דאי אשמעינן גבי מילה – התם הוא דמכשירין אפשר לעשות מאתמול לא דחו שבת, דליכא כרת. אבל פסח דאיכא כרת – אימא לידחו שבת.

ואי אשמעינן גבי פסח – משום דלא נכרתו עליה שלש עשרה בריתות, אבל מילה דנכרתו עליה שלש עשרה בריתות – אימא לידחו שבת, צריכא.

מתני' עושין כל צרכי מילה [בשבת]; מוהלין ופורעין ומוצצין, ונותנין עליה איספלינית וכמון.

אם לא שחק מערב שבת – לועס בשיניו ונותן, אם לא טרף יין ושמן מערב שבת – ינתן זה בעצמו וזה בעצמו.

ואין עושין לה חלוק לכתחילה, אבל בורך עליה סמרטוט. אם לא התקין מערב שבת – בורך על אצבעו ומביא, ואפילו מתצר אחרת.

And we also learned in a mishna pertaining to the Paschal lamb, in a similar vein: A principle was stated by Rabbi Akiva: Any prohibited labor that can be performed on Shabbat eve does not override Shabbat. By contrast, the slaughtering of the Paschal lamb, which cannot be performed on Shabbat eve, as it has a fixed time from the Torah, overrides Shabbat.⁴ And Rav Yehuda said that Rav said: The *halakha* is in accordance with Rabbi Akiva.

The Gemara comments: And both statements that the *halakha* is in accordance with Rabbi Akiva were necessary. As had Rav taught us that the *halakha* is in accordance with Rabbi Akiva only with regard to circumcision, the conclusion would have been: It is specifically there that facilitators that can be performed the day before do not override Shabbat, as there is no punishment of *karet* if the circumcision is delayed, as liability for *karet* only applies when the child becomes obligated in mitzvot and chooses not to circumcise himself. However, with regard to the Paschal lamb, where there is *karet* for one who fails to offer the sacrifice at its proper time, one would say that those facilitators should override Shabbat. Therefore, it was necessary for Rav to state that the *halakha* is in accordance with the opinion of Rabbi Akiva with regard to the Paschal lamb.

And if Rav had taught us that the *halakha* is in accordance with Rabbi Akiva only with regard to the Paschal lamb, the conclusion would have been that the reason that facilitators that can be performed on the eve of the Festival do not override the Festival is because thirteen covenants were not established upon the Paschal lamb, and it is therefore not so significant. However, with regard to circumcision, upon which thirteen covenants were established, the conclusion would have been that even actions that facilitate the mitzva that could have been performed on Shabbat eve should override Shabbat. It was therefore necessary to teach that the *halakha* is in accordance with Rabbi Akiva in both cases.

MISHNA When the eighth day of a baby's life occurs on Shabbat, he must be circumcised on that day. Therefore, one performs all the necessities of the circumcision, even on Shabbat:⁴ One circumcises the foreskin, and uncovers the skin by removing the thin membrane beneath the foreskin, and sucks the blood from the wound, and places on it both a bandage [*ispelanit*]¹ and cumin as a salve.

If one did not grind the cumin from Shabbat eve, he chews it with his teeth and places it on the place of circumcision as a salve. If he did not mix wine and oil on Shabbat eve, a mixture designed to heal and strengthen the child, this, the wine, is placed on the wound by itself and that, the oil, is placed by itself.⁴

And on Shabbat one may not make a pouch to place over the circumcision as a bandage *ab initio*, but he may wrap a rag over it as a dressing. If he did not prepare the bandage on Shabbat eve by bringing it to the place where the circumcision was performed, he wraps the bandage on his finger and brings it on Shabbat, even from a different courtyard. While the Sages permitted it to be brought, they required that it be performed in an unusual fashion, by wearing it in the manner of a garment.

Perek XIX

Daf 133 Amud b

גמ' מבדי קתני כולהו, 'כל צרכי מילה' לאתויי מאי?

GEMARA The Gemara asks: Since the mishna is teaching all of them, i.e., enumerated all the requirements of circumcision, when the mishna added: One performs all the requirements of circumcision even on Shabbat, what did it come to include?

As long as he is engaged in the circumcision, he may return, both for shreds of skin, etc. – כל זמן שהוא עוסק – במילה חוזר בין על הציצין וכו'. In the Jerusalem Talmud, two opinions are cited as the source of the obligation to remove shreds of skin. According to Rabbi Akiva, it is derived from the double Hebrew expression *himmol yimmol*, which is translated as: "He shall surely circumcise" (Genesis 17:13). Usage of the double expression implies that both the foreskin and the relevant shreds of skin must be removed. According to Rabbi Yishmael, who does not derive laws from double expressions of this kind, the source for this *halakha* is the term: "A bridegroom of blood for circumcisions" (Exodus 4:26) used in a verse pertaining to the circumcision of the son of Moses. The plural form, circumcisions, indicates that there are two elements to circumcision.

Beautifying a mitzva on Shabbat – הידור מצוה בשבת – In an attempt to identify the opinion of the *tanna* who deals with the removal of the shreds of skin, the Gemara searches for the sources of the two underlying foundations of his view. The first is the distinction between the basic obligation of the mitzva and its beautification. The second is the principle that when the performance of a mitzva is interrupted in the middle, its subsequent continuation is not considered part of the same action. Each attempt to find a precedent focuses on identifying one of these foundations.

HALAKHA

As long as he is engaged in the circumcision, he may return, both for shreds of skin, etc. – כל זמן שהוא עוסק – במילה חוזר בין על הציצין וכו'. On Shabbat, one who circumcises a child may remove shreds of skin and flesh even if they do not invalidate the circumcision, as long as he is still engaged in the circumcision. However, if he has already withdrawn his hand, he may only return to remove the shreds of skin that invalidate the circumcision (Rambam *Sefer Ahava*, *Hilkhot Mila* 2:4, 6; *Shulhan Arukh*, *Orah Hayyim* 331:2 and *Yoreh De'a* 266:2).

התנאה לפניו – התנאה לפניו – The Prophets used descriptive praises of God's attributes and thereby taught us that these attributes are laudable virtues. One should seek to emulate them and become compassionate, merciful, and holy like the Creator, as per the statement of Abba Shaul (Rambam *Sefer HaMadda*, *Hilkhot Deot* 1:6).

Just as He is compassionate and merciful, so too should you be compassionate and merciful – מה הוא חנון ורחום אף – אתה יהיה חנון ורחום. The Prophets used descriptive praises of God's attributes and thereby taught us that these attributes are laudable virtues. One should seek to emulate them and become compassionate, merciful, and holy like the Creator, as per the statement of Abba Shaul (Rambam *Sefer HaMadda*, *Hilkhot Deot* 1:6).

לאתווי הא, דתנו רבנן: המל, כל זמן שהוא עוסק במילה – חוזר בין על הציצין המעבבין את המילה בין על הציצין שאין מעבבין את המילה. פירש, על ציצין המעבבין את המילה – חוזר, על ציצין שאין מעבבין את המילה – אינו חוזר.

מאן תנא "פירש אינו חוזר"? אמר רבה בר בר חנה אמר רבי יוחנן: רבי ישמעאל בנו של רבי יוחנן בן ברוקה היא. דתנא: ארבעה עשר שחל להיות בשבת – מפשיט (אדם) הפסח עד החזה, דברי רבי ישמעאל בנו של רבי יוחנן בן ברוקה. וחכמים אומרים: מפשיטין את בולו.

ממאי?! עד כאן לא קאמר רבי ישמעאל בנו של רבי יוחנן בן ברוקה דתם – משום דלא בעינן "זה אלי ואניוהו", אבל הכא דבעינן "זה אלי ואניוהו" – הכי נמי.

דתנא: "זה אלי ואניוהו" – התנאה לפניו במצות: עשה לפניו סוכה נאה, ולולב נאה, ושופר נאה, ציצית נאה, ספר תורה נאה וכתוב בו לשמו בדיו נאה, בקולמוס נאה, בלבלר אומן וכו' בשריאין נאין.

אבא שאול אומר: "ואניוהו" – הוי דומה לו: מה הוא חנון ורחום – אף אתה יהיה חנון ורחום.

The Gemara answers: It comes to include that which the Sages taught in a *baraita*: One who circumcises on Shabbat, as long as he is engaged in the circumcision, he may return and remove shreds of skin that were not cut properly. This is the ruling both for shreds of skin^{NH} and flesh that invalidate the circumcision if they are not cut, i.e., the child is not considered circumcised if they remain, and for shreds that do not invalidate the circumcision if they are not cut. But if the circumcisor has withdrawn from engaging in the mitzva of circumcision, he may return for shreds that invalidate the circumcision if they were not cut, as the mitzva has not yet been properly performed, but he may not return for shreds that do not invalidate the circumcision if they are not cut. Consequently, when the mishna refers to all the requirements of circumcision, it means that as long as one is still involved in the act of circumcision, one may go back and remove even pieces of skin that do not invalidate the circumcision.

With regard to this law, the Gemara asks: Who is the *tanna* who holds that if one has already withdrawn from a mitzva he may not return to engage in its performance? Which *tanna* asserts that as long as a person is involved in a mitzva whose performance overrides Shabbat, he may complete it; however, if he is no longer involved in the mitzva, he may not exceed the minimum requirements if doing so would desecrate Shabbat? Rabba bar bar Hanna said that Rabbi Yohanan said: It is Rabbi Yishmael, son of Rabbi Yohanan ben Beroka, as it was taught in a *baraita*: In a case of the fourteenth of Nisan, the day the Paschal lamb is sacrificed, that occurs on Shabbat, one flays the Paschal lamb until he exposes the breast, in order to remove the portions that are offered on the altar, but one does not flay anymore, as it is not necessary for the mitzva of the day; this is the statement of Rabbi Yishmael, son of Rabbi Yohanan ben Beroka. And the Rabbis say: One may even flay the entire hide.

The Gemara raises a difficulty: From where do you draw this comparison? Perhaps Rabbi Yishmael, son of Rabbi Yohanan ben Beroka, only stated his opinion that one may do no more than the minimum requirement there, with regard to the Paschal lamb, because we do not need to fulfill the mitzva of: "This is my God and I will glorify Him" (Exodus 15:2). The manner in which the animal is flayed does not impact the mitzva of the sacrifice. However, here, with regard to circumcision, where we need to fulfill the mitzva of: "This is my God and I will glorify Him," which requires performing the circumcision in a beautiful manner, indeed, Rabbi Yishmael would agree that the mitzva must be performed as aesthetically as possible.^N

What is the source for the requirement of: "This is my God and I will glorify Him"? As it was taught in a *baraita* with regard to the verse: "This is my God and I will glorify Him [*anveihu*], the Lord of my father and I will raise Him up." The Sages interpreted *anveihu* homiletically as linguistically related to *noi*, beauty, and interpreted the verse: Beautify yourself before Him in mitzvot.¹¹ Even if one fulfills the mitzva by performing it simply, it is nonetheless proper to perform the mitzva as beautifully as possible. Make before Him a beautiful *sukka*, a beautiful *lulav*, a beautiful *shofar*, beautiful ritual fringes, beautiful parchment for a Torah scroll, and write in it in His name in beautiful ink, with a beautiful quill by an expert scribe, and wrap the scroll in beautiful silk fabric.

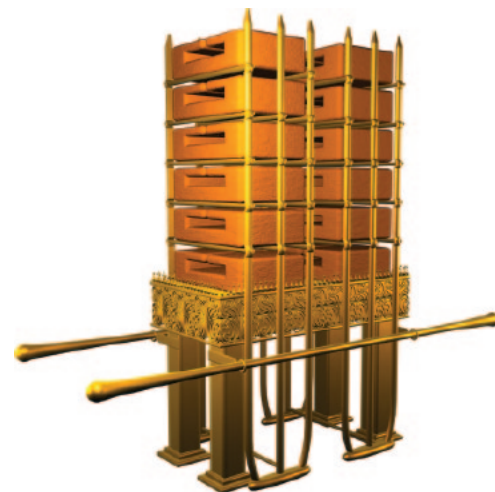
Abba Shaul says: *Ve'anveihu* should be interpreted as if it were written in two words: *Ani vaHu*, me and Him [God]. Be similar, as it were, to Him, the Almighty: Just as He is compassionate and merciful, so too should you be compassionate and merciful.¹² In any case, there is no proof from Rabbi Yishmael's statement with regard to the Paschal lamb that he would say the same with regard to circumcision, as in that case, he might agree that fulfilling the mitzva beautifully justifies overriding Shabbat.

Shabbat and the sanctification of the New Moon – שַׁבָּת וְקִידּוּשׁ הַחֹדֶשׁ: In ancient times, when new months were sanctified based on the sighting of the moon, witnesses who saw the moon would rush to the rabbinical court to testify. The witnesses were permitted to desecrate Shabbat to expedite their arrival. If the moon was clearly visible, and it was safe to assume that it had been seen by others who live closer to the court, it was unnecessary for them to rush to the court and desecrate Shabbat. Nevertheless, the witnesses were encouraged to proceed to the court even at the expense of Shabbat, in accordance with the unattributed mishna (Rambam *Sefer Zemanim*, *Hilkhot Kiddush HaHodesh* 3:4).

The arrangement of the showbread – סידור לֶחֶם הַפָּנִים: The arrangement of the showbread was carried out in the following manner: Eight priests entered the Sanctuary, four carrying the new bread and bowls of frankincense, and four to remove the old bread and frankincense. The priests removed the old bread by sliding it off the table very slowly. The priests inserting the new bread immediately placed the loaves in the vacated spot, in accordance with the unattributed mishna (Rambam *Sefer Avoda*, *Hilkhot Temidin UMusafin* 5:4).

BACKGROUND

The showbread table – שולחן לֶחֶם הַפָּנִים: The loaves are arranged on the showbread table in two stacks. Between the two arrangements, or, according to some, on them, the priests would place the bowls of frankincense.



Showbread table with loaves

אֵלֶּא אָמַר רַב אֲשִׁי: הָא מִנִּי – רַבִּי יוֹסִי הֵיא, דְּתַנָּן: בֵּין שְׁנֵי נְרָאָה בְּעֵלִיל וּבֵין שְׁלָא נְרָאָה בְּעֵלִיל – מַחְלִין עָלָיו אֶת הַשַּׁבָּת, רַבִּי יוֹסִי אוֹמֵר: נְרָאָה בְּעֵלִיל – אֵין מַחְלִין עָלָיו אֶת הַשַּׁבָּת.

ממאי? דילמא עד כאן לא קאמר רבי יוסי התי – דלא ניתנה שבת לידחות, אבל הכא דניתנה שבת לידחות – הכי נמי!

אֵלֶּא אָמַרִי נְהַרְדְּעִי: רַבֵּנּוּ דְּפִלְגִי עָלֶיהָ דְּרַבִּי יוֹסִי הֵיא, דְּתַנָּן: אֲרַבְּעָה בְּהַנִּים נִבְנְסִין, שְׁנִים בִּידָם שְׁנֵי סְדָרִים, וּשְׁנִים בִּידָם שְׁנֵי בְּיֻכִין. וְאַרְבָּעָה מְקַדִּימִין לְפָנֵיהֶם, שְׁנִים – לִישׁוּל שְׁנֵי סְדָרִים, וּשְׁנִים – לִישׁוּל שְׁנֵי בְּיֻכִין. הַמְּבַנְסִין עוֹמְדִים בְּצִפּוֹן וּפְנֵיהֶם לְדָרוֹם, וְהַמוֹצִיאִין עוֹמְדִים בְּדָרוֹם וּפְנֵיהֶם לְצִפּוֹן. אֵלֶּוּ מוֹשְׁבִים וְאֵלֶּוּ מְנִיחִין, טַפְחוֹ שֶׁל זֶה בְּצַד טַפְחוֹ שֶׁל זֶה, מְשֻׁם שְׁנֵי אֲמָר "לְפָנֵי (ד') תָּמִיד".

רבי יוסי אומר: אפילו אלו נוטלין ואילו מניחין – אף זה היה תמיד.

תנו רבנן: מהלקטין את המילה, ואם לא הילקט ענוש – כרת. ממי? אומר רב כהנא: אימן.

Rather, Rav Ashi said: This should be understood differently. In accordance with whose opinion is this *baraita* with regard to circumcision? It is in accordance with the opinion of Rabbi Yosei. As we learned in a mishna: Whether the new moon was clearly seen by everyone or whether it was not clearly seen, one may desecrate Shabbat in order to sanctify the New Moon.⁴ Eyewitnesses who saw the appearance of the moon may desecrate Shabbat in order to go to court and testify. Rabbi Yosei says: If the moon was clearly seen, they may not desecrate Shabbat for it, since other witnesses, located nearer to the court, will certainly testify. If these distant witnesses go to court to testify, they will desecrate Shabbat unnecessarily. Apparently, Rabbi Yosei holds that if the basic requirements of a mitzva have already been fulfilled, one may no longer desecrate Shabbat in its performance.

The Gemara rejects this: From where do you draw this comparison? Perhaps Rabbi Yosei only stated his opinion there, in the case of sanctification of the New Moon, because there no allowance was made for Shabbat to be overridden. Given that the moon was clearly seen and testimony to that effect could have been delivered easily, there was no need for additional witnesses to come and desecrate Shabbat, and the prohibition to desecrate Shabbat remained in place. However, here, in the case of circumcision, where allowance was made for Shabbat desecration, as it is permitted and required to perform circumcision on Shabbat at its appointed time, indeed, it would be permitted to complete the circumcision even according to Rabbi Yosei.

Rather, the Sages of Neharde'a say: This ruling is in accordance with the opinion of the Rabbis, who disagree with Rabbi Yosei. As we learned in a mishna: Four priests would enter the Sanctuary every Shabbat to arrange the showbread,⁵ two of whom had two orders of six loaves each in their hands, and two had two bowls of frankincense in their hands. And four priests would precede them; two came to take the two orders of bread left on the table from the previous week, and two came to take the two bowls of frankincense. Next, those bringing the loaves and bowls into the Sanctuary would stand in the north of the Sanctuary, facing south, while those carrying the loaves and bowls out would stand in the south of the Sanctuary, facing north. These slide the old bread along the table, and these place the new bread on the table, and as a result, the handbreadth of this one would be alongside the handbreadth of that one, so that the requisite amount of bread would always be present on the table, as it is stated: "And you shall place on the table showbread before Me continuously" (Exodus 25:30).⁶

Rabbi Yosei said: Even if these priests were first to take the old bread off the table entirely, and only afterward were these priests to place the new ones on the table, this too would fulfill the requirement that the showbread be on the table continuously. It is unnecessary to ensure the uninterrupted presence of the showbread on the table. Apparently, the Rabbis hold that even a moment's break in the performance of a mitzva is deemed an interruption. The same principle applies to circumcision. Once one withdrew and is no longer engaged in its performance, it is as though he completed the mitzva and he may no longer return to it.

The Sages taught: We complete the cutting⁷ of the foreskin, and if he did not complete the cutting he is punishable by *karet*. The Gemara asks: Who is punishable by *karet*? Rav Kahana said: The craftsman, i.e., the circumcisor. If he failed to complete the circumcision properly on Shabbat he is punishable by *karet*, as he wounded the baby on Shabbat without fulfilling the mitzva circumcision.

NOTES

⁴ The showbread – לֶחֶם הַפָּנִים: The showbread, which was placed on the sacred table in the Sanctuary (Exodus 25:23–30), was comprised of twelve loaves arranged on wooden slats in two stacks of six loaves each. Atop each stack or, according to another opinion, between them, were two bowls of frankincense. The showbread remained on the table from one Shabbat

to the next. Every Shabbat the priests would remove the old bread and replace it with new bread. The old bread was divided among the priests and eaten. The dispute between Rabbi Yosei and the Sages is with regard to the proper interpretation of the word "always" (Exodus 25:30) with regard to the transition from the old loaves to the new ones.

⁵ Complete the cutting [*mehalketin*] – מְהַלְקֵתִין: Most commentators explain that this term is related to the word *likkut*, gathering. It refers to the act of taking and cutting. Some of the *ge'onim* explain that the foreskin is similar to a *yalkut*, a sack or covering. Consequently, the word *mehalketin* means the removal of this covering.

NOTES

Actually, it refers to a craftsman... where he came to perform the circumcision at twilight, etc. – לעולם אומן וכגון דאָתא בין השמשות וכו' Some commentaries explain that the Gemara had to resort to the unlikely scenario of one who was warned not to perform the circumcision, ignored the warning, and became liable for *karet* because the unwitting sinner is liable for a sin-offering, not *karet*. We accept the principle that one who erred while engaged in performance of a mitzva, yet performed some aspect of the mitzva, is exempt from a sin-offering. However, if one sinned wittingly in a similar case, he is punishable by *karet* (Rabbi Elazar Moshe Horowitz).

Seven parts fat – שב מינאי תרבא: Some commentaries explain that this means seven types of fat from seven different kinds of animals (Rabbi Ya'akov Emden).

HALAKHA

If he came at twilight on Shabbat, and those present said to him: You will not manage, etc. – דאָתא בין השמשות דשבת ואמרו ליה: לא מספקת וכו' If the conclusion of Shabbat is nearing, and a child who is supposed to be circumcised on Shabbat has not yet been circumcised, and people warn the circumcisor that he will not manage to complete the circumcision in time, and he proceeds to circumcise the child on the assumption that he will complete it on time, but he fails to do so, he is liable to bring a sin-offering. He is not punishable by with *karet*. Even though he was warned, he did not willfully intend to commit a transgression (Rambam *Sefer Korbanot, Hilkhos Shegagot* 2:9 and in the *Kesef Mishne*).

A craftsman who does not suck – דלא מייץ: After removing the foreskin, the person performing the circumcision sucks blood from the wound so that the child does not become dangerously ill. If the circumcisor does not suck the blood, he is removed from his position. Whether or not this procedure can be performed utilizing implements available in modern times is disputed by the later authorities (Rambam *Sefer Ahava, Hilkhos Mila* 2:2; *Shulhan Arukh, Yoreh De'a* 264:3).

BACKGROUND

Sucking in circumcision – מציצה בברית מילה: The purpose of sucking is to prevent the closing of the blood vessels as well as to remove any infection that might have entered the wound by means of the circumcision scalpel.

מתקיף לה רב פפא: אומן לימא להו "אנא עבדי פלגא דמצוה – אתון עבדיתו פלגא דמצוה!" אלא אמר רב פפא: גדול.

מתקיף לה רב אשי: גדול בהדיא כתיב ביה "וערל זכר אשר לא ימול!" אלא אמר רב אשי: לעולם אומן, וכגון דאָתא בין השמשות דשבת, ואמרו ליה: לא מספקת, ואמר להו: מספקאנא. ועבד ולא איסתפק, ואיסתבח דתבורה הוא דעבד, וענוש ברת.

"מוצצין וכו'". אמר רב פפא: האי אומנא דלא מייץ – סכנה הוא, ועברין ליה.

פשיטא, מדקא מחללי עליה שבתא – סכנה הוא! מהו דתימא: האי דם מיפקד פקיד, קא משמע לן: תבורי מיתבר.

ודומיא דאיספליגות וכמון, מה איספליגות וכמון – כי לא עביד סכנה הוא, אף הכא נמי – כי לא עביד – סכנה הוא.

"ונותנין עליה איספליגות". אמר אביי, אמרה לי אם: איספליגותא דכולהון כיבי – שב מינאי תרבא וחדא קירא. רבא אמר: קירא וקלפא רישנא.

דרשה רבא במחוזא, קרעניהו בני מיומי אסיא למנייהו. אמר להו: שבקי לכו חדא, דאמר שמואל: האי מאן דמשי אפיה ולא נגיב טובא – נקטרו ליה

Rav Pappa strongly objects to this: Why should the craftsman be liable? Let him say to those present: I performed half the mitzva; now you perform the other half of the mitzva. I am not liable, as I was engaged in performance of a mitzva, even though I did not complete it. Rather, Rav Pappa said: The reference here is not to circumcision on Shabbat, but rather to the mitzva of circumcision in general. The one liable for *karet* is an adult whose circumcision was not completed. He is not considered to have been circumcised according to *halakha*. Therefore, he is punishable by *karet*, like one who was not circumcised at all.

Rav Ashi strongly objects to this: This cannot be, as if so what is the *baraita* teaching? The fact that an adult is liable for *karet* is explicitly written in the verse: "And an uncircumcised male who will not circumcise the flesh of his foreskin, that soul shall be cut off from its people; My covenant he has broken" (Genesis 17:14). Rather, Rav Ashi said: Actually, it refers to the craftsman who performed the partial circumcision on Shabbat, and it is a case where he came to perform the circumcision at twilightⁿ on Shabbat day, just before the conclusion of Shabbat, and those present said to him: You will not manage^h to complete the circumcision before the conclusion of Shabbat, and he said to them: I will manage. And he performed the circumcision and did not manage to complete the mitzva before Shabbat ended. It turns out that he made a wound in the child but did not fulfill the mitzva. And since he was forewarned not to do so, he is therefore punishable by *karet* like anyone who violates Shabbat not for the purpose of performing a mitzva.

We learned in the mishna that one sucks blood from the wound after the circumcision was performed on Shabbat. Rav Pappa said: A craftsman who does not suck^{hb} the blood after every circumcision is a danger to the child undergoing circumcision, and we remove him from his position as circumcisor.

The Gemara comments: This is obvious. Given that one desecrates Shabbat to suck the blood, which involves performance of a prohibited labor, obviously, failure to do so poses a danger. Desecration of Shabbat would not be permitted if it was not a life-threatening situation. The Gemara answers: This is not an absolute proof. Lest you say that this blood is collected and contained in place, and one who removes that which is pooled in its place does not perform the subcategory of the prohibited labor of threshing on Shabbat, i.e., drawing blood; that is the reason sucking the blood is permitted, not due to any danger involved in failing to do so. Therefore, the mishna teaches us that this blood is attached and flowing and not merely pooled. One who draws it out performs an act that is generally prohibited by Torah law on Shabbat, and it is nonetheless permitted due to danger to the child.

And it is similar to the *halakhos* of a bandage and cumin stated in the mishna. Just as in the case of a bandage and cumin, failure to do what his necessary with these items poses a danger to the child, here too, if he does not perform the sucking after circumcision, it poses a danger to the child; Shabbat is overridden in cases of danger.

We learned in the mishna: And on Shabbat one places on the wound from the circumcision a bandage. Abaye said: My nurse said to me: A bandage for all wounds should be made from seven parts fatⁿ and one part wax. Rava said: A bandage should be made from wax and sap of a tree.

When Rava taught this cure in Mehoza, the sons of Manyomei the doctor tore their clothes in misery, as he taught everyone how to make a bandage, and their services would no longer be required. Rava said to them: I left you one cure that I did not reveal, with which you can make a profit, for Shmuel said: One who washes his face and does not wipe it a lot will develop

חֲסִפְנִיתָא. מַאי תַקְנִיתָהּ? לִימְשִׁי טוֹבָא
בְּמֵי דְסִילְקָא.

“לֹא שָׁחַק מִעֲרֵב שֶׁבֶת”. תִּנּוּ רַבֵּנּוּ דְּבָרִים
שְׂאִין עוֹשִׂין לְמִילָה בְּשַׁבָּת עוֹשִׂין לָהּ
בְּיוֹם טוֹב: שׁוֹחֲקִין לָהּ כְּמוֹן, וְטוֹרְפִין לָהּ
זִין וְשִׁמּוֹן.

אָמַר לִיה אַבְי לְרַב יוֹסֵף: מַאי שְׂנָא כְּמוֹן
בְּיוֹם טוֹב – דְּחָזִי לְקַדְרָה, זִין וְשִׁמּוֹן חָזִי
נָמִי בְּשַׁבָּת לְחוּלָה! דְּתִנּוּ: אִין טוֹרְפִין
זִין וְשִׁמּוֹן לְחוּלָה בְּשַׁבָּת. אָמַר רַבִּי שְׁמַעוֹן
בֶּן אֶלְעָזָר מִשּׁוּם רַבִּי מְאִיר: אַף טוֹרְפִין
זִין וְשִׁמּוֹן.

אָמַר רַבִּי שְׁמַעוֹן בֶּן אֶלְעָזָר: פַּעַם אֶחָת
חָשׂ רַבִּי מְאִיר בְּמַעֲוִי, וּבְקִשְׁנֵי לְטְרוּף לֹא
זִין וְשִׁמּוֹן. וְלֹא הִנְחֵנוּ. אָמַרְנוּ לוֹ: דְּבָרִיךְ
יִבְטְלוּ בְּחַיֶּיךָ? אָמַר לָנוּ: אַף עַל פִּי שְׂאִי
אוֹמַר כֵּךְ, וְחִבְרִי אוֹמְרִים כֵּךְ – מִיָּמִי
לֹא מְלֵאנִי לְבִי לַעֲבוֹר עַל דְּבָרֵי חִבְרִי.
הוּא נִיהוּ דְּמַחְמִיר אֲנַפְשִׁיהּ, אֲבָל לְכוּלִי
עֲלֵמָא – שָׂרִי!

הָתָם לֹא בְּעֵי לִיכָא, הָכָא בְּעֵי לִיכָא. הָכָא
נָמִי, מִיַּעֲבִיד וְלֹא לִילְךְ! הֵינֵנוּ דְּקִתְנִי: נוֹתֵן
זֶה בְּפִנֵּי עֲצָמוּ וְזֶה בְּפִנֵּי עֲצָמוּ.

תִּנּוּ רַבֵּנּוּ: אִין מְסַנֵּן אֶת הַחֲרָדֵל בְּמַסְנַנְתָּ
שְׁלוֹ וְאִין מְמַתְקִין אוֹתוֹ בְּגַחְלָתָא. אָמַר לִיה
אַבְי לְרַב יוֹסֵף: מַאי שְׂנָא מְהָא דְּתִנּוּ:
נוֹתְנִים בִּיצָה בְּמַסְנַנְתָּ שְׁל חֲרָדֵל?

אָמַר לִיה: הָתָם – לֹא מִיחֵי בְּבוֹרֵר,
הָכָא – מִיחֵי בְּבוֹרֵר.

וְאִין מְמַתְקִין אוֹתוֹ בְּגַחְלָתָא. וְהִתְנִי:
מְמַתְקִין אוֹתוֹ בְּגַחְלָתָא! לֹא קִשְׂיָא: כָּאֵן
בְּגַחְלָתָא שְׁל מִתְכָּת כָּאֵן בְּגַחְלָתָא שְׁל עֵץ.

sores on his flesh. What is his remedy? Let him wash extensively in beet water, in which beets have been boiled.

We learned in the mishna: If one did not grind the cumin from Shabbat eve, he chews it with his teeth and places it on the place of circumcision as a salve. The Sages taught: There are actions that may not be performed in preparation for a circumcision on Shabbat but may be performed in preparation for it on a Festival. For example: One grinds cumin for it, and one mixes wine and oil for it.^{NH}

Abaye said to Rav Yosef: What is different about cumin that makes it permissible to grind it on a Festival? The fact that it is suitable for use to spice a pot, in cooking. Based on that explanation, mixed wine and oil are also suitable for use on Shabbat for a sick person, as it was taught in a baraita: One may not mix wine and oil for a sick person on Shabbat. Rabbi Shimon ben Elazar said in the name of Rabbi Meir: One may even mix wine and oil on Shabbat.

Rabbi Shimon ben Elazar said: It happened on one occasion that Rabbi Meir had intestinal pain on Shabbat, and we sought to mix wine and oil for him as treatment and he did not let us do so. We said to him: Will your statement be negated in your lifetime? You permit mixing these ingredients for a sick person. He said to us: Even though I say this and my colleagues say that, and I do not retract my statement, still, in all my days I have never been so presumptuous as to violate the statements of my colleagues and act in accordance with my opinion. Apparently, it was he who was stringent with regard to himself, but for everyone it is permitted.^N

The Gemara answers that there is a distinction between the cases: There, for medicinal purposes, it need not be beaten, whereas here, for circumcision, it must be beaten. The Gemara asks: Here too, let us prepare the mixture but not beat it. The Gemara answers: That is in fact the custom, and that is what the mishna teaches: He places this by itself and that by itself, meaning that he may mix the wine and oil, but he may not beat them.

The Sages taught with regard to labor on a Festival: One may not strain mustard in its strainer, and one may not sweeten it with coal. Abaye said to Rav Yosef: In what way is this different from that which we learned in a mishna: One may place an egg in a mustard strainer on Shabbat?

Rav Yosef said to him: There is a distinction between the cases, that there, in the case of the egg, the act does not appear like selecting, whereas here, in the case of the mustard, the act appears like selecting. Straining an egg does not actually separate it into its component parts. Straining mustard does.

We learned that one may not sweeten the mustard with coal.^H The Gemara asks: Wasn't it taught in a baraita: One may sweeten it with coal. The Gemara answers: This is not difficult, as there is a distinction: There, where it is permitted, it is referring to the case of a metal coal, as extinguishing metal coals is not prohibited by Torah law, whereas here, where it is prohibited, it is referring to the case of a wooden coal.

NOTES

וְטוֹרְפִין לָהּ זִין וְשִׁמּוֹן – And one mixes wine and oil for it: Some authorities explain that the prohibition against using medicine on Shabbat involves two issues: First, preparing the medication for use may involve violation of the Torah prohibition against grinding, and second, there is a rabbinic decree prohibiting use of medicine already prepared. The Rabbis did not prohibit the use of medication on Festivals. Therefore, one may mix wine and oil. According to Rabbi Meir, the mixture is considered food and not medicine; therefore, it may be mixed on Shabbat. However, grinding cumin violates the Torah prohibition against grinding. Therefore, it is prohibited on Shabbat. It is permitted on a Festival only because it can be used for cooking (Rabbi Elazar Moshe Horowitz).

It was he who was stringent with regard to himself, but for everyone it is permitted – הוּא נִיהוּ דְּמַחְמִיר – אֲבָל לְכוּלִי עֲלֵמָא שָׂרִי: Among the Sages, it was a common practice that a Sage who issued a lenient ruling in a dispute would not rely on his own ruling because he did not wish to violate the ruling of his colleagues. Nevertheless, he would allow the general public to act in accordance with his more lenient ruling.

HALAKHA

Preparations for circumcision on a Festival – תִּקְוִי מִילָה בְּיוֹם טוֹב: Any activity that is not actually a component of the mitzva of circumcision per se does not override Shabbat or Festival prohibitions. The exception to this rule is grinding cumin and mixing wine and oil, which may be performed on a Festival (Rambam Sefer Ahava, Hilkhot Mila 2:10; Shulhan Arukh, Yoreh De'at 266:6).

Preparing mustard on a Festival – טִיפּוּל בְּחֲרָדֵל בְּיוֹם טוֹב: It is prohibited to strain mustard in a strainer on a Festival. One may not sweeten it by extinguishing wooden coals with it. However, it is permitted to sweeten it by extinguishing metal coals with it (Rambam Sefer Zemanim, Hilkhot Yom Tov 3:17; Shulhan Arukh, Oraḥ Hayyim 510:3).

What is the *halakha* with regard to whether it is permissible to curdle cheese on a Festival – מהו לגבן? One may not prepare cheese on a Festival, even to be eaten on the Festival, because it can be done the day before (Shulhan Arukh, Oraḥ Hayyim 510:5).

BACKGROUND

A baby whose exit is unknown – ינוקא דלא ידיע: The Gemara refers to a congenital defect known as *atresia ani*, the obstruction of the anal cavity. This defect can be surgically corrected.

A baby that refuses to nurse – תינוק שאינו יונק – Occasionally, cold temperatures can suppress muscular activity, including in the mouth. Consequently, the baby is unable to nurse. Warming the child helps in those cases.

אמר ליה אבוי רב יוסף: מאי שנא מבישרא אגומרי? אמר ליה: התם – לא אפשר, הכא – אפשר.

אמר ליה אבוי רב יוסף: מהו לגבן? אמר ליה: אסור. מאי שנא מלישה? אמר ליה: התם – לא אפשר, הכא – אפשר.

והא אמרי נהרדעי: גבינה בת יומא מעליא! הכי קאמרי: דאפילו גבינה בת יומא מעליא.

“אין עושין לה חלוק כו’.” אמר אבוי אמרה לי אם: האי חלוק דינוקא – לפניה לסיטרא לעילאי, דילמא מידביק גרדא מיניה ואתי לידי ברות שפכה. אימיה דאבוי עבדא ביסתתא לפלגא. אמר אבוי: האי ינוקא דלית ליה חלוק – לייני בליתא דאית ליה שיפתא, וליברכיה לשיפתא לתתאי, ועיין ליה לעילאי.

ואמר אבוי אמרה לי אם: האי ינוקא דלא ידיע מפקתיה – לשייפיה מישחא, ולוקמיה להדי יומא, והיכא דזיג ליקרעיה בשערותא שתי וערב. אבל בכלי מתכות – לא, משום דזוריף. ואמר אבוי, אמרה לי אם: האי ינוקא דלא מייץ – מיקר דקר פומיה, מאי תקנתיה – ליתו כסא גומרי, ולינקטיה ליה להדי פומיה, דחיים פומיה ומייץ. ואמר אבוי אמרה לי אם: האי ינוקא דלא מנשתיה – לינפפיה בנפוותא ומנשתיה.

Abaye said to Rav Yosef: In what way is mustard placed on coals, which is prohibited, **different from meat placed on coals**,^N which is permitted even if the coals are extinguished by the blood dripping from the meat? Rav Yosef said to Abaye: The two cases are not similar, as **there**, with regard to meat, **it is not possible** to accomplish this in any other way, but **here**, with regard to mustard, **it is possible** to accomplish this in another way.

Abaye said to Rav Yosef: What is the *halakha* with regard to whether it is permissible to curdle cheese on a Festival?^{HN} He said to him: It is prohibited. Abaye asked: In what way is this **different from kneading dough**, which is permitted on a Festival? Rav Yosef said to him: **There**, with regard to dough, **it is not possible** to bake bread before a Festival, as day-old bread is inferior to fresh bread. Therefore, kneading dough to bake bread on a Festival is permitted. **Here**, with regard to cheese, **it is possible** to curdle cheese before a Festival and it will not deteriorate in any way.

Abaye challenged this distinction: Didn’t the Sages of Neharde’a say that **one-day-old cheese is excellent**? Curdling cheese on a Festival should be permitted? Rav Yosef responded: **This is what they are saying: Even one-day-old cheese is excellent**; however, cheese that aged longer is better. Therefore, they did not permit curdling cheese on a Festival, as it is not necessary for the Festival.

We learned in the mishna: **And on Shabbat one may not make a pouch** to place over the circumcision as a bandage *ab initio*. Abaye said: My mother, actually his foster mother who was the nursemaid who raised him, **told me**: With regard to **that pouch**, placed as a bandage over the circumcision of a baby, **let one place it on the upper side** with the threads below, **lest a thread from it stick** to the place of circumcision and cause the baby to become one with a severed urethra. The Gemara relates that **Abaye’s mother would make a pouch** that covered **half** the place of circumcision so that it would not be damaged through contact with the threads emerging from the edge of the pouch. Abaye said: **If this baby does not have a pouch** to put on the place of the circumcision, **let one bring a worn-out garment with a hem, and wrap the hem under, and fold the garment over**, so that the threads from the worn-out garment will not adhere to the wound.

And Abaye also said: **My mother told me**: In the case of a baby the location of whose exit, i.e., anus, is unknown,^B as it is obscured by skin, **let one rub it with oil and stand it before the light of the day**. And where it appears transparent, **let one tear it with a barley grain widthwise and lengthwise**. However, one may not tear it with a metal implement because it causes infection and swelling. And Abaye said that my mother told me: If a baby refuses to nurse,^B that is because its mouth is cold and it is unable to nurse. What is his remedy? They should bring a cup of coals and place it near his mouth, so that his mouth will warm and he will nurse. And Abaye said that my mother told me: A baby that does not urinate, **let one place him in a sieve and shake him, and he will urinate**.

NOTES

Meat on coals – בישרא אגומרי: Some commentaries explain that placing meat on top of hot coals on a Festival is not a direct violation of the labor of extinguishing, because the fire ultimately burns stronger. The Sages permitted roasting meat in this manner, as no Torah prohibition is violated. According to this approach, there is a variant reading of the Gemara: There, there is no extinguishing; here, there is extinguishing (Rif).

Others authorities state that the labor of extinguishing is also permitted on a Festival if extinguishing is required for food preparation, with the following caveat: If the food could have been prepared beforehand, it may not be prepared on a Festival.

However, if preparing the food prior to the Festival would produce food not as tasty as food prepared on the Festival, it is even permitted to extinguish a fire in its preparation (Rabbeinu Zerahya HaLevi).

What is the *halakha* with regard to whether it is permissible to curdle cheese on a Festival – מהו לגבן: Some explain the statement that kneading is not possible, whereas curdling is possible as follows: Flour itself is inedible in its current form, whereas the raw material of cheese, i.e., milk, can be legitimately consumed in its present state (Rabbeinu Zerahya HaLevi).

היילד האדום והירוק – The red and pale child – Several medical explanations were proposed to identify the diseases from which the babies seen by Rabbi Natan were suffering. With regard to the child who was red, some presume that the children of that family suffered from a rare hereditary blood disease known as purple disease, *purpura hemorrhagica*. The child who was pale was probably sick with hemolytic jaundice of the newborn, which is also hereditary.

HALAKHA

מילת תינוק חולה – The circumcision of a sick baby – If a baby displays signs of possible illness, and the circumcision might be dangerous, the baby is not circumcised at the appointed time. For example, if the baby is too pale or too red, the circumcision is postponed until he is healthy enough to be circumcised. This ruling is in accordance with Abaye's statement in the name of his nursemaid and the incidents involving Rabbi Natan (Rambam *Sefer Ahava, Hilkhoh Mila* 1:17; *Shulhan Arukh, Yoreh De'a* 263:1).

ואמר אביי אמרה לי אם: האי ינוקא דלא מעו – ליתו סליתא דאימיה, ולישרקיה עילויה ומעו. ואמר אביי, אמרה לי אם: האי ינוקא דקטין – ליתו לסליתא דאימיה, ולישרקיה עילויה מקוטנא לאולמא. ואי אלים – מאולמא לקוטנא. ואמר אביי, אמרה לי אם: האי ינוקא דסומק – דאפתי לא איבלע ביה דמא, ליתרחו ליה עד דאיבלע ביה דמא ולימהלוח. דירוק ואפתי לא נפל ביה דמיה – ליתרחו עד דנפל ביה דמיה, ולימהלוח.

דתניא, אמר רבי נתן: פעם אחת הלכתי לברכי הים ובאת אשה אחת לפני, שמלה בנה ראשון ומת, שני ומת, שלישי הביאתו לפני. ראיתיו שהוא אדום. אמרתי לה: המתני לו עד שיבלע בו דמו. המתנה לו עד שנבלע בו דמו, ומלה אותו וחי. והיו קורין אותו "נתן הבבלי" על שמי.

שוב פעם אחת הלכתי למדינת קפוטקיא, ובאת אשה אחת לפני, שמלה בנה ראשון ומת, שני ומת, שלישי הביאתו לפני. ראיתיו שהוא ירוק. הצאתי בו ולא ראיתי בו דם ברית. אמרתי לה: המתני לו עד שיפול בו דמו. והמתנה לו, ומלה אותו וחי. והיו קורין שמו "נתן הבבלי" על שמי.

And Abaye said: My nurse told me: If a baby is not breathing, let them bring his mother's placenta and place the placenta on him, and the baby will breathe. And Abaye said that my mother told me: If a baby is too small, let them bring his mother's placenta and rub the baby with it from the narrow end to the wide end of the placenta. And if the baby is strong, i.e., too large, let them rub the baby from the wide end of the placenta to the narrow end. And Abaye said that my mother told me: If a baby is red, that is because the blood has not yet been absorbed in him. In that case, let them wait until his blood is absorbed and then circumcise him. Likewise, if a baby is pale and his blood has not yet entered him, let them wait until his blood enters him and then circumcise him.

As it was taught in a *baraita*, Rabbi Natan said: On one occasion, I went to the coastal cities, and one woman came before me who circumcised her first son and he died, and she circumcised her second son and he died, and since she feared circumcising the third due to concern that he might die as well, she brought him before me. I saw that he was red. I said to her: Wait until his blood is absorbed into him. She waited until his blood was absorbed into him and then circumcised him, and he lived. And they would call him Natan the Babylonian after my name.

Rabbi Natan further related: On another occasion I went to the state of Cappadocia, and a woman came before me who circumcised her first son and he died, and she circumcised her second son and he died. Since she feared circumcising the third due to concern that he might die as well, she brought him before me. I saw that he was pale.⁸ I looked at him and I could not see in him the blood of the covenant, i.e., he had a blood deficiency. I said to her: Wait until blood enters him. And she waited and then circumcised him,⁹ and he lived. And they would call his name Natan the Babylonian after my name.

Perek XIX

Daf 134 Amud b

מתני מרחיצין את הקטן בין לפני המילה ובין לאחר המילה. ומקלין עליו ביד, אבל לא בכלי. רבי אלעזר בן עזריה אומר: מרחיצין את הקטן ביום השלישי שחל להיות בשבת, שנאמר "ויהי ביום השלישי בהיותם כזאבים".

ספק ואנדרוגינוס – אין מחללין עליו את השבת. ורבי יהודה מתיר באנדרוגינוס.

MISHNA One may wash the baby on Shabbat, both before the circumcision and after the circumcision.⁸ And one may sprinkle hot water on him by hand but not with a vessel, in order to depart from the usual manner in which this is done. Rabbi Elazar ben Azarya says: One may wash the baby on the third day following his circumcision, even if that third day occurs on Shabbat. On the third day following circumcision, the baby is considered to be in danger, as it is stated with regard to the men of Shekhem, who were circumcised: "And it came to pass on the third day, when they were in pain" (Genesis 34:25). This teaches us that on the third day the pain of circumcision poses a danger.⁹

If there is uncertainty whether or not to circumcise a baby, and likewise in the case of a hermaphrodite [*androgynos*]¹ baby, who possesses both male and female genitals, one does not desecrate Shabbat to perform the circumcision, since it is not certain that the circumcision is required. And Rabbi Yehuda permits doing so for a hermaphrodite baby.

NOTES

On the third day – **ביום השלישי**: The commentaries and halakhic authorities disagree over the significance of the third day after circumcision. According to Rashi, Rabbeinu Hananel, and most other commentaries, the baby remains in danger on the third day, and Shabbat prohibitions should be overridden so that he can be washed. This certainly applies on the first and

second days as well, as the child has had even less time to recuperate. Others authorities, including the Rambam, state that this law refers specifically to the third day, not to the second, because the pain of the wound increases on the third day. There is support for this explanation in *Pirkei DeRabbi Eliezer* and elsewhere.

HALAKHA

הרחצת התינוק הנימול – Washing the circumcised baby – During the talmudic era, failure to wash a baby in hot water both before and after the circumcision, as well as on the third day following the circumcision, was deemed life-threatening. Nowadays, this practice is no longer followed. Therefore, if one wishes to wash the child on Shabbat, the standard restrictions that apply to washing any other person apply to the child as well. The Rema writes: In our countries, the custom is to wash him before the circumcision in hot water prepared the day before. After the circumcision, the custom is to wait and wash him after Shabbat has ended. If the third day after his circumcision occurs on Shabbat and it will be necessary to wash him, hot water is prepared the day before and the child is washed on Shabbat. The Rema adds that in a case where there is potential danger if he is not washed, it is permitted to heat water for him on Shabbat. The same applies with regard to any sick person whose life is in danger (Rambam *Sefer Ahava, Hilkhoh Mila* 2:8 and *Sefer Zemanim, Hilkhoh Shabbat* 2:14; *Shulhan Arukh, Orah Hayyim* 331:9 and in the comment of the Rema).

LANGUAGE

אנדרוגינוס [*androgynos*] – Hermaphrodite [ἀνδρόγυνος, *androgynos*, meaning a man-woman, i.e., a creature with attributes of both genders.

GEMARA The Gemara questions the mishna's statement that one may sprinkle hot water on the baby only by hand: **Didn't you say in the first clause of the mishna that one may wash him?** If it is permissible to wash the baby, it is certainly permitted to sprinkle water on him with a vessel.

רב יהודה ורבה בר אבוא דאמרי תרויהו: "ביצד" תני: מרחיצין את הקטן בין לפני מילה בין לאחר מילה, ביצד – מולפין עליו ביד, אבל לא בכלי.

It was Rav Yehuda and Rabba bar Avuh who both said that this mishna is taught employing the style known as: **How**. In this style, the latter clause clarifies the former. It should be understood as follows: **One may wash the baby both before circumcision and after circumcision. How may one wash him? One sprinkles water on him by hand, but not with a vessel.**

אמר רבא: והא 'מרחיצין' קתני! אלא אמר רבא, הכי קתני: מרחיצין את הקטן בין מלפני מילה בין לאחר המילה, ביום הראשון – בדרבו, וביום השלישי שחל להיות בשבת – מולפין עליו ביד, אבל לא בכלי. רבי אלעזר בן עזריה אומר: מרחיצין את הקטן ביום השלישי שחל להיות בשבת, שנאמר "ויהי ביום השלישי בהיותם כואבים".

Rava said: **Doesn't it teach the phrase one may wash**, and washing is not sprinkling. Rather, Rava said that this is what the mishna is teaching: **One may wash the baby, both before circumcision and after circumcision. On the first day, one may wash him in his usual manner. However, on the third day following his circumcision, if that third day occurs on Shabbat, one may sprinkle water on him only by hand, but not with a vessel, and one may certainly not wash him. Rabbi Elazar ben Azarya says: One may even wash the baby on the third day following his circumcision, if that third day occurs on Shabbat, because the baby is considered to be in a state of danger, as it is stated: "And it came to pass on the third day, when they were in pain."**

תניא כוותיה דרבא: מרחיצין הקטן בין לפני מילה בין לאחר מילה, ביום ראשון – בדרבו, וביום השלישי שחל להיות בשבת – מולפין עליו ביד, רבי אלעזר בן עזריה אומר: מרחיצין את הקטן ביום השלישי שחל להיות בשבת, ואף על פי שאין ראיה לדבר – וכו' לדבר, שנאמר "ויהי ביום השלישי בהיותם כואבים".

A *baraita* was taught in accordance with the opinion of Rava: **One may wash the baby, both before circumcision and after circumcision. On the first day, the baby is washed in its usual manner; and on the third day that occurs on Shabbat, one sprinkles water on him by hand but not with a vessel, and one may not wash him. Rabbi Elazar ben Azarya says: One may even wash the baby on the third day that occurs on Shabbat. And although there is no absolute proof for this matter, there is an allusion to this matter, as it is stated: "And it came to pass on the third day, when they were in pain."**

וכשהו מולפין – אין מולפין לא בכוס ולא בקערה ולא בכלי, אלא ביד. אתאן לתנא קמא.

The *baraita* continues: **And when one sprinkles water, he may not sprinkle it with a cup or with a bowl or with any other vessel; rather, he does so by hand.** The Gemara comments: **We have arrived at the opinion of the first tanna**, as this clarification of how the sprinkling was performed is not in accordance with the opinion of Rabbi Elazar ben Azarya. Rather, it is an elaboration of the statement of the first *tanna*.

מאי "אף על פי שאין ראיה לדבר וכו' לדבר"? משום דגדול – לא סליק בישאא הניא, קטן – סליק ביה בישאא הניא.

The Gemara comments: **What is the meaning of the baraita's statement: And although there is no absolute proof for this matter, there is an allusion to this matter?** Why does the *baraita* refer to it as a mere allusion when it appears to offer absolute proof that the pain of circumcision is significant on the third day? The Gemara answers: Indeed, it is not a complete proof, **because an adult's flesh does not heal immediately, but a child's flesh heals immediately.** Perhaps a baby is not considered to be in danger on the third day.

ההוא דאתא לקמיה דרבא, אורי ליה בשמעתיה. איחלש רבא. אמר אנא בהדי תרגימנא דסבי למה לי?

The Gemara relates: **A certain person came before Rava to ask a question with regard to washing a baby after circumcision. Rava ruled in accordance with its halakhic ruling, that everyone agrees that it is permitted to wash the baby on the first day. Afterward, Rava became ill. He said: Why did I involve myself in the opinions of the Elders?** The Sages of the previous generation, Rav Yehuda and Rabba bar Avuh, articulated the *halakha* in a different, more stringent manner. Rava felt that his illness was divine punishment for taking their opinions lightly.

אמרו ליה רבנן לרבא: והתניא כוותיה דמר! אמר להו מתניתין כוותיה דיקא.

The Sages said to Rava: Wasn't it taught in the baraita in accordance with the opinion of the Master, so why are you concerned with regard to your ruling, which is correct? Rava said to them: The language of the mishna is precise according to their opinion.

One may even wash – אף מרחיצין – The *baraita* cited above states explicitly: One may wash, which is in accordance with the opinion of Rava. That should serve as indication that the inference from the mishna is invalid. Some explain that based on the inference in the mishna, Rava arrived at a variant reading of the entire *baraita*, which conforms to the inference from the mishna (Rashba and others). Alternately, the wording of the *baraita* is not as authoritative and reliable as that of the mishna.

They discussed the following question in the West – הוּ בַּהּ בְּמַעְרְבָא – Indeed, this dilemma is raised in the Jerusalem Talmud, where a dispute is cited between two *amora'im* who had different opinions with regard to this matter.

Washing the baby in hot water – הִחִיצַת: At least one question was disputed by halakhic authorities from the times of the *ge'onim* and onward without resolution: Is it permissible to heat water on Shabbat in order to wash the child before circumcision? Some of the *ge'onim* were inclined to permit heating water before circumcision, and all the more so after the circumcision. However, most subsequent authorities raised doubts about these rulings, even the allowance to heat water after the circumcision, unless there was clear danger to the life of the baby. They certainly did not permit heating water before the circumcision. See the *Halakha* notes; this matter resolved itself over time as the practice to wash the baby before and after circumcision was no longer customary.

HALAKHA

שמן וחמין – שְׁמֵן וְחִמִּין – Oil and hot water on a wound – מַעַל גְּבִי הַמָּכָה: On Shabbat, one may not place a mixture of oil and hot water on top of a wound, but he may place it near a wound so it flows and descends into the wound, in accordance with the opinion of Shmuel, since the *baraita* supports him (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:26; *Shulhan Arukh*, *Orah Hayyim* 328:22).

ממאי – מדקאמר רבי אלעזר בן עזריה אומר: מרחיצין את הקטן ביום השלישי שחל להיות בשבת. אי אמרת בשלמא תנא קמא מזולפין קאמר – היינו דקאמר ליה רבי אלעזר בן עזריה מרחיצין, אלא אי אמרת תנא קמא מרחיצין ביום הראשון קאמר, ומזולפין ביום השלישי – האי רבי אלעזר בן עזריה אומר מרחיצין? "אף מרחיצין" מיבעי ליה.

כי אתא רב דימי אמר רבי אלעזר: הלכה כרבי אלעזר בן עזריה.

הוּ בַּהּ בְּמַעְרְבָא: הרחצת כל גופו או הרחצת מילה?

אמר להו ההוא מרבנן, ורבי יעקב שמייה: מסתברא, הרחצת כל גופו. דאי סלקא דעתך הרחצת מילה – מי גרע מחמין על גבי מכה, דאמר רב: אין מונעין חמין ושמן מעל גבי מכה בשבת.

מתקיף לה רב יוסף: ולא שני לך בין חמין שהוחמו בשבת לחמין שהוחמו מערב שבת?

מתקיף לה רב דימי: וממאי דהכא בחמין שהוחמו בשבת פליגי, דילמא בחמין שהוחמו בערב שבת פליגי? אמר אביי: אנא בעאי דאישי ליה, וקדם ושני ליה רב יוסף: מפני שסכנה הוא לו.

איתמר נמי, כי אתא רבין אמר רבי אבהו אמר רבי אלעזר, ואמרי לה אמר רבי אבהו אמר רבי יוחנן: הלכה כרבי אלעזר בן עזריה, בין בחמין שהוחמו בשבת בין בחמין שהוחמו מערב שבת, בין הרחצת כל גופו, בין הרחצת מילה – מפני שסכנה היא לו.

גופא, אמר רב: אין מונעין חמין ושמן מעל גבי מכה בשבת. ושמואל אמר: נותן חוץ למכה, ושותת ויורד למכה.

מיתיבי: אין נותנין שמן וחמין על גבי מוד ליתן על גבי מכה בשבת! היתם משום סחיטתו.

From where can this be concluded? From the fact that it is stated: Rabbi Elazar ben Azarya says: One may wash the baby on the third day that occurs on Shabbat. Granted, if you say that the first *tanna* is saying only that one may sprinkle, but prohibited washing the baby even on the first day, that explains what Rabbi Elazar ben Azarya said to him in response: One may wash. However, if you say that the first *tanna* is saying one may wash on the first day and one may sprinkle on the third day, this statement: Rabbi Elazar ben Azarya says that one may wash, is imprecise. Rather, he should have said that one may even wash^N on the third day. Rabbi Elazar ben Azarya is not disputing whether it is ever permitted to wash the baby, as the first *tanna* also agrees that it is permitted on the first day; the dispute is whether or not that leniency extends to the third day as well. Since a precise reading of the mishna supports the opinion of Rav Yehuda and Rabba bar Avuh, the *baraita* supporting Rava's opinion is not sufficiently authoritative to supplant that understanding.

When Rav Dimi came from Eretz Yisrael to Babylonia, he said that Rabbi Elazar said: The *halakha* is in accordance with the opinion of Rabbi Elazar ben Azarya.

They discussed the following question in the West, in Eretz Yisrael:^N Is this referring to washing the entire body of the baby, or to washing the place of the circumcision?

One of the Sages, named Rabbi Ya'akov, said to them: It stands to reason that it is referring to washing his entire body, as if it should enter your mind that the dispute is with regard to washing the place of the circumcision, is this washing any worse than placing hot water on a wound? Rav said: One does not prevent placing hot water and oil on a wound on Shabbat. Therefore, it should certainly be permissible to wash the place of the circumcision.

Rav Yosef strongly objects to this proof: And is there no difference for you between hot water heated on Shabbat and hot water heated on Shabbat eve? Placing hot water heated on Shabbat eve on a wound violates only the rabbinic decree prohibiting healing; whereas heating hot water on Shabbat violates a Torah prohibition.

Rav Dimi strongly objects to Rav Yosef's point: And from where do you know that here it is with regard to hot water heated on Shabbat that they disagree? Perhaps it is with regard to hot water heated on Shabbat eve that they disagree. Abaye said: I wanted to answer him, but Rav Yosef answered him first: The dispute is certainly with regard to heating water on Shabbat, because failure to do so poses a danger for the baby.

It was also stated that when Ravin came to Babylonia from Eretz Yisrael, he said that Rabbi Abbahu said that Rabbi Elazar said, and others say that Rabbi Abbahu said that Rabbi Yohanan said: The *halakha* is in accordance with the opinion of Rabbi Elazar ben Azarya, both with regard to hot water heated on Shabbat and with regard to hot water heated on Shabbat eve; both with regard to washing the entire body and with regard to washing the place of the circumcision alone, because failure to do so poses a danger for the baby.^N

Rav's statement with regard to the treatment of a wound on Shabbat was mentioned in passing. The Gemara proceeds to discuss the matter itself. Rav said: One does not prevent placing hot water and oil on a wound on Shabbat. And Shmuel said: It is prohibited to place hot water or oil directly onto the wound, because it appears to be medical treatment. Rather, one places the hot water or the oil outside the wound, above it, and it flows and descends to the wound itself.

The Gemara raises an objection from that which was taught in a *baraita*: One may not place oil or hot water on soft material to place it on a wound^H on Shabbat. This supports the opinion of Shmuel, who prohibits performing actions that appear to be medical treatment. However, that ruling contradicts the opinion of Rav. The Gemara answers: There, the *baraita* prohibited placing oil or hot water on a rag, not because it appears to be medical treatment; rather, it is prohibited due to concern that one might perform the prohibited labor of squeezing.

One may place a dry compress...on a wound, etc. – גִּבִּי הַמָּכָה מוֹךְ יָבֵשׁ וכו' – נִתְּנָן עַל גִּבִּי הַמָּכָה מוֹךְ יָבֵשׁ וכו' Contrary to Rashi's explanation that appears in the Gemara, it is permitted to wrap a wound with swatches of new fabric on Shabbat, since they do not heal but only protect the wound. However, old rags may not be used, because they have a medicinal effect. If they have already been used to dress a wound, it is permitted to reuse them, because they no longer have a medicinal effect (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 21:26; *Shulhan Arukh, Orah Hayyim* 328:23).

תָּא שְׁמַע: אֵין נִתְּנָן חֲמִין וְשִׁמֹן עַל גִּבִּי מוֹךְ שְׁעַל גִּבִּי מָכָה בְּשַׁבָּת! הָתָם נִמְי מְשֹׁם סְחִיטָה.

תֵּנִי אֶפְתִּיחָה דְּשִׁמוּאֵל: אֵין נִתְּנָן חֲמִין וְשִׁמֹן עַל גִּבִּי מָכָה בְּשַׁבָּת, אֲבָל נִתְּנָן חוּץ לַמָּכָה, וְשִׁוִּיתָ וְיִזְרַד לַמָּכָה.

תֵּנוּ רַבָּנִן: נִתְּנָן עַל גִּבִּי הַמָּכָה מוֹךְ יָבֵשׁ וְסָפּוֹג יָבֵשׁ, אֲבָל לֹא גְמִי יָבֵשׁ וְלֹא בְּתִיתִין יָבֵשִׁין. קִשְׁיָא בְּתִיתִין אֲבָתִיתִין! לֹא קִשְׁיָא, הָא – בְּחֻדְתִּי, הָא – בְּעִתִּיקִי, אָמַר אֲבִי: שְׁמַע מִינָהּ – הִנֵּי בְּתִיתִין מָסוּ.

”סָפֵק וְאַנְדְּרוֹגִינוֹס כּו'”. תֵּנוּ רַבָּנִן: עֶרְלָתוֹ – עֶרְלָתוֹ וְדַאי דּוּחָה אֶת הַשַּׁבָּת,

The Gemara cites an additional proof. Come and hear that which was taught in a similar *baraita*: One may not place oil or hot water on soft material that is on a wound on Shabbat. This *baraita* supports the opinion of Shmuel. The Gemara answers: There too, it is prohibited due to concern for squeezing.

A *baraita* was taught explicitly in accordance with the opinion of Shmuel: One may not place oil or hot water on a wound on Shabbat; however, one may place it outside the wound so it flows and descends to the wound.

The Sages taught another *baraita*: One may place a dry compress and a dry sponge on a wound,^h but not a dry reed and not dry rags. The Gemara comments: This is difficult, as the first statement with regard to rags, i.e., a dry compress which is a type of rag, contradicts the second statement with regard to rags, as the *baraita* first permitted placing rags on a wound and then prohibited doing so. The Gemara answers: This is not difficult. This statement, which prohibits placing rags on a wound, is referring to new rags, which heal the wound; that statement, which permits placing rags on a wound, is referring to old rags, which are not effective in healing. Abaye said: Conclude from this that these rags heal, which is useful information with regard to the treatment of wounds.

We learned in the mishna: If there is uncertainty whether or not to circumcise a baby, and likewise in the case of a hermaphrodite baby, one does not desecrate Shabbat to perform the circumcision of a hermaphrodite, even on the eighth day following the birth. The Sages taught in a *baraita*: The verse states: “And on the eighth day the flesh of his foreskin shall be circumcised” (Leviticus 12:3), and they interpreted the verse: “His foreskin” indicates that only the circumcision of his halakhically certain foreskin overrides Shabbat,

Perek XIX Daf 135 Amud a

BACKGROUND

Born circumcised – נולד מְהוּל: Occasionally, a baby is born without a foreskin. This is caused by the degeneration of the foreskin, and in this respect, the medical assessment would agree with the view expressed in the Gemara that one born circumcised has a type of concealed foreskin.

וְלֹא סָפֵק דּוּחָה אֶת הַשַּׁבָּת. עֶרְלָתוֹ וְדַאי דּוּחָה אֶת הַשַּׁבָּת, וְלֹא אֲנִדְּרוֹגִינוֹס דּוּחָה אֶת הַשַּׁבָּת.

רַבִּי יְהוּדָה אָמַר: אֲנִדְּרוֹגִינוֹס דּוּחָה אֶת הַשַּׁבָּת וְעָנֹשׁ בִּרְתּוֹ. עֶרְלָתוֹ וְדַאי דּוּחָה אֶת הַשַּׁבָּת, וְלֹא נִלְדַּד בֵּין הַשְּׁמָשׁוֹת דּוּחָה אֶת הַשַּׁבָּת. עֶרְלָתוֹ וְדַאי דּוּחָה אֶת הַשַּׁבָּת, וְלֹא נִלְדַּד כְּשֶׁהוּא מְהוּל דּוּחָה אֶת הַשַּׁבָּת. שְׁבִית שְׁמַאי אֹמְרִים: צָרִיךְ לְהִטִּיף מִמֶּנּוּ דָם בְּרִית, וּבֵית הֵלֵל אֹמְרִים: אֵינוּ צָרִיךְ.

and the circumcision of a halakhically uncertain foreskin does not override Shabbat. And by means of the same inference from the term his foreskin, derive that circumcision of his definite foreskin overrides Shabbat, and circumcising the foreskin of a hermaphrodite baby,^h with regard to whom there is uncertainty whether or not circumcision is required, does not override Shabbat.

Rabbi Yehuda says: The circumcision of a hermaphrodite overrides Shabbat, and if he is not circumcised, when he reaches majority he is punishable by *karet*. Rabbi Yehuda interprets the verse in the following manner: His definite foreskin overrides Shabbat; however, the circumcision of one born at twilight^h does not override Shabbat. And likewise, his definite foreskin overrides Shabbat; however, the circumcision of one who was born circumcised,^h i.e., without a foreskin,^b does not override Shabbat. With regard to a child in that condition, there is a dispute between Beit Shammai and Beit Hillel, as Beit Shammai say: It is necessary to drip covenantal blood from him, in lieu of circumcision of the foreskin, and Beit Hillel say: It is not necessary, as he is already circumcised.

HALAKHA

Circumcising a hermaphrodite baby – מִילַת אֲנִדְּרוֹגִינוֹס: The circumcision of a hermaphrodite does not override Shabbat, in accordance with the opinion of the Rabbis (Rambam *Sefer Ahava, Hilkhhot Mila* 1:11; *Shulhan Arukh, Orah Hayyim* 331:5 and *Yoreh De'a* 266:10).

Born at twilight – נולד בין השמשות: When a child is born at twilight, the eight days for his circumcision begin the night following twilight. However, this later date does not override Shabbat or a

Festival, or even the second day of the Festival in the exile (Rosh; Rambam *Sefer Ahava, Hilkhhot Mila* 1:12; *Shulhan Arukh, Orah Hayyim* 331:5 and *Yoreh De'a* 266:8).

Born circumcised – נולד כְּשֶׁהוּא מְהוּל: If a child was born circumcised, even though he is circumcised at the age of eight days, his circumcision does not override Shabbat (Rambam *Sefer Ahava, Hilkhhot Mila* 1:11; *Shulhan Arukh, Orah Hayyim* 331:5 and *Yoreh De'a* 266:10).

From one who was born circumcised it is necessary to drip covenantal blood – **נולד כשהוא מְהוּל – שְׁצִירִין לְהִטִּיף מִמֶּנּוּ דָם בְּרִית**: When a baby is born circumcised, his circumcision involves dripping covenantal blood from him. This must be performed very carefully to avoid endangering him, based on the incident involving Rav Adda bar Ahava and the statements of Rabbi Shimon ben Elazar and Rabbi Eliezer HaKappar (Rambam *Sefer Ahava*, *Hilkhot Mila* 1:7; *Shulhan Arukh*, *Yoreh De'a* 263:4).

A gentile who converted when he was already circumcised – **גֵּר שֶׁנִּתְּגִייר כְּשֶׁהוּא מְהוּל –** When a circumcised gentile converts to Judaism, a drop of covenantal blood is drawn from him. Then he immerses in a ritual bath, as ruled by the *ge'onim*, the *Be'al Halakhot Gedolot*, the *Rif*, and the *Rambam*. Some dispute this ruling (Rabbeinu Hananel). There are many opinions with regard to the rationale for this ruling. Some commentaries explain that based on the ruling of the later authorities, the *halakha* is in accordance with the opinion of Rabbi Eliezer HaKappar, that one must drip covenantal blood from a circumcised convert. Other authorities explain that it is based on the ruling in tractate *Yevamot* that a drop of covenantal blood is drawn from a circumcised convert (see *Kesef Mishneh*; Rambam *Sefer Ahava*, *Hilkhot Mila* 1:7 and *Sefer Kedusha*, *Hilkhot Issurei Biah* 14:5; *Shulhan Arukh*, *Yoreh De'a* 268:1).

Born after seven months... after eight months – **בֵּן שִׁבְעָה... בֵּן שְׁמוֹנָה וְכוּ'**: One may desecrate Shabbat to save the life of a baby born after seven months of pregnancy. If the eighth day after his birth occurs on Shabbat, he is circumcised on Shabbat. However, it is assumed that a baby born after eight months cannot survive. Therefore, one may not move the baby on Shabbat; one may not desecrate Shabbat to save its life; and if the eighth day after his birth occurs on Shabbat, he is not circumcised on Shabbat. This rule refers to a baby whose hair and nails are not fully developed. If the baby is fully developed, then Shabbat is desecrated on his behalf, as it is for any other child (Rambam *Sefer Ahava*, *Hilkhot Mila*, 1:13–14; *Shulhan Arukh*, *Orah Hayyim* 330:7–8 and *Yoreh De'a* 266:11 and in the comment of the Rema).

BACKGROUND

Born after seven or eight months of pregnancy – **בֵּן שִׁבְעָה וְכוּ' וְכוּ' שְׁמוֹנָה**: During talmudic times, conventional wisdom was that a child born after eight months of pregnancy had no chance of survival, while a child born after seven months was more likely to survive. In modern medicine, there is no support for this distinction. Yet in practice, the Sages ruled that the determination is not based on the counting of the months of pregnancy. Rather, the physical signs of development, i.e., the nails and hair, are used to determine whether or not a child is potentially viable.

Rabbi Shimon ben Elazar said: That was not the subject of their dispute, as Beit Shammai and Beit Hillel did not disagree over the fact that from one who was born circumcised, it is necessary to drip covenantal blood,^{nh} because they agree that it is a case of a concealed foreskin. The child is not actually circumcised; it is just that his foreskin is not visible. With regard to what did they disagree? With regard to a convert who for some reason was circumcised when he was a gentile and converted when he was already circumcised,^h as Beit Shammai say: Dripping covenantal blood from him is necessary, and Beit Hillel say: Dripping covenantal blood from him is not necessary, and he needs only a ritual immersion to complete his conversion.

The Gemara cited above that the Master said: The circumcision of a halakhically uncertain foreskin does not override Shabbat. The Gemara asks: What case of uncertainty does this statement come to include? The Gemara answers: It comes to include that which the Sages taught: To circumcise a child born after seven months of pregnancy, one desecrates Shabbat, as it will likely live. However, to circumcise a child born after eight months^{hbn} of pregnancy, with regard to whom the presumption was that he would not survive, one may not desecrate Shabbat. And even for the circumcision of a child with regard to whom there is uncertainty whether the child was born after seven months and uncertainty whether the child was born after eight months, one may not desecrate Shabbat.

And the Sages taught: A child born after eight months is like a stone with regard to the *halakhot* of set-aside [*muktze*], and it is prohibited to move him. However, his mother may bend over the child and nurse him due to the danger that failure to nurse will cause her to fall ill.

With regard to the halakhic ruling in the case of a child born circumcised, it is stated that the Sages disagree. Rav said: The *halakha* is in accordance with the explanation of the first *tanna*, i.e., in accordance with Rabbi Yehuda's explanation of the dispute between Beit Shammai and Beit Hillel, that they disagree with regard to one born circumcised. Since we rule in accordance with the opinion of Beit Hillel, it is not necessary to drip covenantal blood from a child born circumcised. And Shmuel said: The *halakha* is in accordance with the explanation of Rabbi Shimon ben Elazar, that Beit Shammai and Beit Hillel do not disagree with regard to one born circumcised, and that everyone agrees that it is necessary to drip covenantal blood from him.

The Gemara relates that to Rav Adda bar Ahava there was this child that was born circumcised, and the time for his circumcision was on Shabbat. He inquired after thirteen ritual circumcisors, but they refused to circumcise him, until ultimately, he circumcised his son himself and rendered him one with a severed urethra. He did not know how to perform a circumcision and made too deep an incision.ⁿ Rav Adda bar Ahava said: I have it coming to me, i.e., I deserve to be punished, as I violated the ruling of Rav, who ruled that one born circumcised does not even need covenantal blood drawn.

NOTES

צִירִין לְהִטִּיף... דָּם בְּרִית – It is necessary to drip covenantal blood – The primary discussion of the *halakhot* of circumcision appears in tractate *Yevamot*, including a discussion concerning the *halakhot* of circumcision of a convert. The early and late commentaries debated whether the essence of the mitzva of circumcision is for the person to remain without a foreskin or whether the essence of the mitzva is to perform the act of circumcision itself. Apparently, dripping blood from a child without a foreskin is a form of circumcision and fulfills the mitzva. Nevertheless, the authorities dispute whether or not a blessing is recited over this act. With regard to converts, however, the consensus appears to be that the central act of conversion is the immersion in a ritual bath for the sake of conversion.

Born after eight months – **בֵּן שְׁמוֹנָה**: The Sages of the Gemara cited sources that allude to the notion that a child born after eight months of pregnancy cannot survive. Nevertheless, they provided clear physical signs that indicate whether or not a child was fully de-

veloped. In later generations, the authorities ruled that the *halakhot* with regard to a child born after eight months apply only if there is absolute certainty that the child was indeed born after eight months. Some authorities state that since we lack the expertise to identify the physical signs described by the Sages, these *halakhot* cannot be applied. Rather, every newborn is treated equally: He is circumcised even on Shabbat, all of his needs are met, and Shabbat is desecrated to save his life (see *Me'iri*).

The incident of Rav Adda bar Ahava – **מִעֲשֵׂה רַב אֲדָא בַר אֲהֵבָה**: This incident is related in somewhat greater detail in the Jerusalem Talmud, which cites divergent traditions with regard to the details of the incident. Some say that, in his ignorance, Rav Adda fatally wounded the child, while others say that after he saw what he had done to him, knowing that a male whose tubes have been severed cannot have children and is even prohibited to marry a Jew (Deuteronomy 23:2), Rav Adda prayed for mercy that the child should die of his own accord.

מחלוקת – Rav Yosef and Rav Nahman The version in the Gemara corresponds with Rashi's version of the text: Rav Yosef sought to cite proof for his opinion by approximating what the first *tanna*, whose opinion Rabbi Eliezer HaKappar disputes, might have said, even though only part of that *baraita* remains extant and there is no way to ascertain with certainty what the first *tanna* said. According to the *ge'onim*, this first *tanna* is Rabbi Shimon ben Elazar, and Rabbi Eliezer HaKappar's statement constitutes a continuation of the *baraita* that cited the dispute between Rabbi Yehuda and Rabbi Shimon. However, according to the variant reading of the majority of the *ge'onim*, it is not Rav Yosef who cites a proof from this source, but Rabba, who seeks to infer that the first *tanna*, Rabbi Shimon ben Elazar, is of the opinion that everyone agrees that one may not desecrate Shabbat for a child of that sort. Therefore, the entire discussion proceeds in a slightly different manner, as Rabbi Shimon ben Elazar did not explain his statement in this matter. Many commentaries considered this version and its rationale clearer (see Rashba and Ran).

Come to teach us the reasoning of Beit Shammai – טעמא דבית שמאי אתא לאשמעין There are exceptions to this principle, where the Gemara analyzes the opinion of Beit Shammai or reveals their opinion. However, there is typically a reason for the discussion, e.g., so that if this opinion appears unattributed, it would be identified and rejected (see *Yad Malakhi*).

אמר ליה רב נחמן: ואדשמואל לא עבר? אימר דאמר שמואל בחול, בשבת מי אמר? הוא סבר: ודאי ערלה כבושה היא. דאיתמר, רבה אומר: חיישינן שמא ערלה כבושה היא, רב יוסף אומר: ודאי ערלה כבושה היא.

אמר רב יוסף: מנא אמינא לה – דתנא, רבי אליעזר הקפדן אומר: לא נחלקו בית שמאי ובית הלל על נולד בשבועה מהול – שצריך להטות ממנו דם ברית, על מה נחלקו – לחלל עליו את השבת. בית שמאי אומרים: מחללין עליו את השבת, ובית הלל אומרים: אין מחללין עליו את השבת. לאו מכלל דתנא קמא סבר "מחללין עליו את השבת"?

ודילמא: תנא קמא דברי הכל אין מחללין קאמר? אם כן, רבי אליעזר הקפדן טעמא דבית שמאי אתא לאשמעין? דילמא הכי קאמר: לא נחלקו בית שמאי ובית הלל בדבר זה.

אמר רבי אסי: כל שאמו טמאה לידה – נימול לשמונה, וכל שאין אמו טמאה לידה – אין נימול לשמונה, שנאמר "אשה כי תזריע וילדה זכר וטמאה וגו' ובימים השמיני נימול בשר ערלתו".

אמר ליה אביי: דורות הראשונים יוכיחו, שאין אמו טמאה לידה – ונימול לשמונה!

אמר ליה: נתנה תורה

Rav Nahman said to him: And did he not violate the ruling of Shmuel? Say that Shmuel said that one is required to drip covenantal blood during the week, on Shabbat, did he say so? Certainly one does not desecrate Shabbat in that case. The Gemara explains that Rav Adda bar Ahava held differently, that in that case there is not merely a concern that perhaps there is a concealed foreskin. In that case, that **there is definitely a concealed foreskin**. Therefore, a form of circumcision must be performed on the child, and it overrides Shabbat. As it was stated that there is an amoraic dispute as to whether or not it is permitted to drip covenantal blood on Shabbat from a child born circumcised. Rabba said: We are concerned lest there is a concealed foreskin, and therefore there is uncertainty whether or not he is considered uncircumcised, and therefore it is prohibited to circumcise him on Shabbat. Rav Yosef said: In that case, **there is certainly a concealed foreskin** and therefore, it is permitted to circumcise him even on Shabbat.ⁿ

Rav Yosef said: From where do I say this line of reasoning? As it was taught in a *baraita*: Rabbi Eliezer HaKappar says: There is a tradition that Beit Shammai and Beit Hillel did not disagree with regard to a child who was born circumcised, that one is required to drip covenantal blood from him. With regard to what did they disagree? With regard to whether or not to desecrate Shabbat on his behalf. Beit Shammai say: One desecrates Shabbat in order to circumcise him, and Beit Hillel say: One does not desecrate Shabbat in order to circumcise him. Rav Yosef concludes: Does this not prove by inference that the first *tanna*, whose opinion Rabbi Eliezer HaKappar disputes, holds that everyone agrees that one desecrates Shabbat on his behalf, and Rabbi Eliezer HaKappar disagrees and states that Beit Shammai and Beit Hillel dispute that very matter?

The Gemara refutes this: And perhaps the first *tanna* is saying that everyone agrees that one may not desecrate Shabbat in that case, and Rabbi Eliezer HaKappar disagrees and holds that there is a dispute in this regard. The Gemara immediately rejects this assertion: If that is so, that Rabbi Eliezer HaKappar is coming to introduce an opinion that allows desecrating Shabbat to perform circumcision in this case, that is the opinion of Beit Shammai; did Rabbi Eliezer HaKappar come to teach us the reasoning of Beit Shammai? Their opinion is rejected as *halakha*, and there would be no purpose in making a statement simply to explain the opinion of Beit Shammai. The Gemara answers that proof is not absolute; perhaps this is what he is saying: Beit Shammai and Beit Hillel did not disagree with regard to this matter of circumcision of a baby born circumcised on Shabbat. They disagree with regard to the requirement to drip covenantal blood on a weekday.

Rabbi Asi stated a principle: Any child whose birth renders his mother ritually impure due to childbirth is circumcised at eight days; and any child whose birth does not render his mother ritually impure due to childbirth, e.g., the birth was not natural, but by caesarean section, is not necessarily circumcised at eight days. As it is stated: "If a woman bears seed and gives birth to a male, she shall be impure seven days... and on the eighth day the flesh of his foreskin shall be circumcised" (Leviticus 12:2–3). This verse draws a parallel between the two issues, indicating that only a child whose birth renders his mother impure is circumcised on the eighth day.

Abaye said to him: The early generations, from Abraham through the revelation at Sinai, will prove that the principle is not valid, as the birth of a male during that era did not render his mother ritually impure due to childbirth, as the *halakhot* of the impurity of childbirth were commanded at Sinai, and nevertheless, the child was circumcised at eight days, as stated in the Torah, in the book of Genesis.

Rabbi Asi said to him: There is no proof from here, as when the Torah was later given,

ונתחַדֶּשֶׁה הַלְכָּה.

אינִי? וְהָאֵיתָמֵר: יוֹצֵא דוֹפֵן וּמִי שֵׁשׁ לוֹ שְׁתֵּי עֶרְלוֹת, רַב הוֹנָא וְרַב חִיָּיא בְּרַב. חֲדָא אָמַר: מַחֲלִיל עָלָיו אֶת הַשַּׁבָּת; וְחֲדָא אָמַר: אֵין מַחֲלִיל. עַד כָּאֵן לֹא פְּלִיגִי – אֱלָא לְחַלֵּל עָלָיו אֶת הַשַּׁבָּת, אֲבָל לְשַׁמְנָה – וְדַאי מִהֲלִינֵן לִיהּ! הָא בְּהָא תִּלְיָא.

בְּתַנָּאִי: יֵשׁ יֶלֶד בֵּית שְׁנִימוּל לְאַחַד וְיֵשׁ יֶלֶד בֵּית שְׁנִימוּל לְשַׁמְנָה, וְיֵשׁ מְקַנֵּת כֶּסֶף שְׁנִימוּל לְאַחַד, וְיֵשׁ מְקַנֵּת כֶּסֶף שְׁנִימוּל לְשַׁמְנָה. יֵשׁ מְקַנֵּת כֶּסֶף שְׁנִימוּל לְאַחַד, וְיֵשׁ מְקַנֵּת כֶּסֶף שְׁנִימוּל לְשַׁמְנָה.

כִּיצַד? לְקַח שְׁפַחָה מִעֻבְרַת וְאַחֵר כֶּן יִלְדָּה – זֶהוּ מְקַנֵּת כֶּסֶף הַנִּימוּל לְשַׁמְנָה, לְקַח שְׁפַחָה וְיִלְדָּה עִמָּה – זֶה הִיא מְקַנֵּת כֶּסֶף שְׁנִימוּל לְאַחַד.

וְיֵשׁ יֶלֶד בֵּית שְׁנִימוּל לְשַׁמְנָה, כִּיצַד? לְקַח שְׁפַחָה וְנִתְעַבְּרָה אֶצְלוֹ וְיִלְדָּה – זֶהוּ יֶלֶד בֵּית הַנִּימוּל לְשַׁמְנָה. רַב חֲמָא אָמַר: יִלְדָּה וְאַחֵר כֶּן הִטְבִּילָה – זֶהוּ יֶלֶד בֵּית שְׁנִימוּל לְאַחַד, הִטְבִּילָה וְאַחֵר כֶּן יִלְדָּה – זֶהוּ יֶלֶד בֵּית הַנִּימוּל לְשַׁמְנָה.

וְתַנָּא קַמָּא לֹא שָׁנִי לִיהּ בֵּין הִטְבִּילָה וְאַחֵר כֶּן יִלְדָּה, בֵּין יִלְדָּה וְאַחֵר כֶּן הִטְבִּילָה, דָּאֵף עַל גַּב דְּאֵין אָמוּ טַמְאָה לִידָה – נִימוּל לְשַׁמְנָה.

halakha was introduced. No proof can be cited from the observance of mitzvot prior to the revelation at Sinai.

The Gemara asks: **Is that so? Wasn't it stated** that there is a dispute with regard to this *halakha*? As it was taught with regard to a **child born by caesarean section³ and one who has two foreskins⁴**, Rav Huna and Rav Hiyya bar Rav disputed their status. **One said: One desecrates Shabbat on his behalf and performs the circumcision; and one said: One does not desecrate Shabbat on his behalf. They only disagree with regard to whether or not it is permissible to desecrate Shabbat on his behalf; however, with regard to circumcising him at eight days, in principle, we certainly circumcise him, even though the birth of a child by caesarean section does not render his mother ritually impure due to childbirth.** The Gemara answers: The two disputes are **interdependent**. The one who holds that one desecrates Shabbat for this child's circumcision also holds that one must circumcise him on the eighth day. The one who holds that one may not desecrate Shabbat for this child's circumcision holds that one need not circumcise him on the eighth day.

The Gemara comments: The issue of Rabbi Asi's statement that the obligation to circumcise after eight days depends upon whether or not his birth renders his mother ritually impure due to childbirth is **parallel to a tannaitic dispute**, as we learned: **There is a home-born child of a Canaanite maidservant born in a Jewish home, who has the legal status of a Canaanite slave and his Jewish owner is obligated to circumcise him, who is circumcised at the age of one day, i.e., immediately after birth; and there is a home-born child circumcised at eight days. And there is a slave purchased in a money transaction who is circumcised at one day, and there is a slave purchased in a money transaction who is circumcised at eight days.**

The *baraita* explains: **How so?** If a Jew purchased a pregnant maidservant and she then gave birth to a child while in his possession; that is a slave purchased in a money transaction who is circumcised at eight days, as the fetus was purchased along with the maidservant. If he purchased a maidservant who had already given birth and purchased her child along with her, he is obligated to circumcise the child as soon as the child enters his possession; this is a slave purchased in a money transaction, who is circumcised at one day.

And likewise, there is a home-born child circumcised at eight days. **How so?** If he bought a maidservant and she became pregnant in his possession and gave birth; that is a home-born child circumcised at eight days. Rav Hama says there is a distinction: If the maidservant gave birth and he subsequently had her immerse for the purpose of becoming a maidservant, that is a home-born child circumcised at one day. But if he had her immerse and she then gave birth; that is a home-born child circumcised at eight days.

And the first *tanna* does not distinguish between whether he had her immerse and she then gave birth, or whether she gave birth and he then had her immerse. Apparently, even though the child's birth does not render his mother ritually impure due to childbirth, as she is not obligated in mitzvot before immersing and she is not susceptible to ritual impurity of childbirth, he is circumcised at eight days. The dispute between Rabbi Hama and the first *tanna* revolves around the *halakha* stated by Rabbi Asi.

BACKGROUND

A child born by caesarean section – יוֹצֵא דוֹפֵן: In the time of the Gemara, these operations were not commonly performed on humans, but were occasionally performed to save a baby whose mother was about to die in childbirth. From the perspective of the *halakha*, a child who does not emerge through the opening of the womb has a somewhat different status, which affects certain *halakhot* pertaining to the date and time of birth.

HALAKHA

A child born by caesarean section and one who has two foreskins – יוֹצֵא דוֹפֵן וּמִי שֵׁשׁ לוֹ שְׁתֵּי עֶרְלוֹת: Both a child born by caesarean section and one who has two foreskins are circumcised on the eighth day. However, one does not desecrate Shabbat for their circumcision; the circumcision is postponed until Sunday. The reason for this ruling is that the *amora'im* disputed the matter and no definitive conclusion was reached. Therefore, the ruling is stringent (Rif; Rambam *Sefer Ahava, Hilkhot Mila* 1:7, 11; *Shulhan Arukh, Yoreh De'a* 262:3, 266:10).

Home-born and purchased in a money transaction – **יָלִיד בֵּית מִקְנֵת כֶּסֶף**: If one purchased a pregnant maidservant, and she accepted upon herself the obligations of a maidservant belonging to a Jew, when she gives birth, her child is circumcised at eight days. However, if one purchased a maidservant on the condition that he would not immerse her as a maidservant, or if one only purchased the fetus, the child is considered to have been purchased in a money transaction. Therefore, the child is circumcised on the first possible day after the transaction is completed, even if it is the day of his birth, as stated in the *baraita* according to the explanations of Rabbi Yirmeya and Rav Mesharshiya (Rambam *Sefer Ahava*, *Hilkhot Mila* 1:4–5; *Shulhan Arukh*, *Yoreh De'a* 267:1).

Any child that remains alive thirty days after birth – **כָּל שְׂשָׁה שָׁלִשִּׁים יוֹם בְּאָדָם**: When it is unclear if a child was born after a full-term pregnancy, the child loses the possible status of a stillborn after it lives for thirty days. If the infant then dies, the child is mourned by his family members. If the child's father is a priest, he is permitted to attend the funeral, in accordance with the opinion of Rabban Shimon ben Gamliel (Rambam *Sefer Ahava*, *Hilkhot Mila* 1:13; *Sefer Nashim*, *Hilkhot Yibbum VaHalitza* 1:22; *Sefer Nezikin*, *Hilkhot Rotze'ah UShmirat HaNefesh* 2:6; and *Sefer Shofetim*, *Hilkhot Evel* 1:6; *Shulhan Arukh*, *Yoreh De'a* 340:30, 373:4 and *Even HaEzer* 156:4).

A newborn animal that survives for eight days – **יָמִים בְּבִהְמָה**: A newborn animal that has not yet lived for eight days is still considered potentially non-viable. Therefore, it is prohibited to partake of its flesh, due to concern for the prohibition to eat an unslaughtered animal, in accordance with the opinion of Rabban Shimon ben Gamliel (Rambam *Sefer Kedusha*, *Hilkhot Ma'akhalot Assurot* 4:4).

(אָמַר רַבָּא): בְּשִׁלְמָא לְרַבִּי חָמָא – מִשְׁבַּחַת לָהּ יָלִיד בֵּית נִמּוּל לְאַחַד, וְיָלִיד בֵּית נִמּוּל לְשִׁמּוֹנָה. מִקְנֵת כֶּסֶף נִמּוּל לְאַחַד, וּמִקְנֵת כֶּסֶף נִמּוּל לְשִׁמּוֹנָה. יִלְדָּה וְאַחַר כֵּךְ הִטְבִּילָהּ – זֶהוּ יָלִיד בֵּית שְׁנִימּוּל לְאַחַד, הִטְבִּילָהּ וְאַחַר כֵּךְ יִלְדָּה – זֶהוּ יָלִיד בֵּית שְׁנִימּוּל לְשִׁמּוֹנָה.

מִקְנֵת כֶּסֶף נִמּוּל לְשִׁמּוֹנָה – בְּגוֹן שְׁלָקָה שְׁפָחָה מְעוֹבְרָת וְהִטְבִּילָהּ וְאַחַר כֵּךְ יִלְדָּה, מִקְנֵת כֶּסֶף נִמּוּל לְאַחַד – בְּגוֹן שְׁלָקָה זֶה שְׁפָחָה וְזֶה עוֹבְרָה.

אֵלֶּא לִתְנָא קָמָא בְּשִׁלְמָא בּוֹלְהוּ מִשְׁבַּחַת לָהּ, אֵלֶּא יָלִיד בֵּית נִמּוּל לְאַחַד הִיבִי מִשְׁבַּחַת לָהּ?

אָמַר רַבִּי יִרְמְיָהּ: בְּלֻקָּח שְׁפָחָה לְעוֹבְרָה.

הַנִּחְתָּא לְמָאן דְּאָמַר קִנְיָן פִּירוּת לָאוּ בְּקִנְיָן הַגּוֹף דְּמִי. אֵלֶּא לְמָאן דְּאָמַר קִנְיָן פִּירוּת בְּקִנְיָן הַגּוֹף דְּמִי – מַאי אִיכָא לְמִימַר?

אָמַר רַב מֶשֶׁרֶשִׁיָּא: בְּלֻקָּח שְׁפָחָה עַל מִנַּת שְׂלֵא לְהִטְבִּילָהּ.

תִּנְיָא. רַבִּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמַר: כָּל שְׂשָׁה שָׁלִשִּׁים יוֹם בְּאָדָם – אֵינוּ נִפְלָ, שְׁנֵאמַר "וּפְדוּיוֹ מִבֶּן חֹדֶשׁ תִּפְדֶּה". שְׁמִנַּת יָמִים בְּבִהְמָה אֵינוּ נִפְלָ, שְׁנֵאמַר "וּיָמִים הַשְּׁמִינִי וְהִלָּאָה יִרְצָה לְקָרְבָּן" וְגו'.

With regard to the dispute between the *tanna'im*, Rava said: Granted, according to the opinion of Rabbi Hama, cases can be found of a home-born child circumcised at one day, a home-born child circumcised at eight days, a slave purchased in a money transaction circumcised at one day, and a slave purchased in a money transaction circumcised at eight days, in the following manner: If a maidservant gave birth and he subsequently had her immerse, that is the case of a home-born child circumcised at one day. If he had her immerse and she then gave birth, that is the case of a home-born child circumcised at eight days.

A slave purchased in a money transaction is circumcised at eight days in a case where a Jew purchased a pregnant maidservant and thereby paid for and purchased the fetus as well, and then had her immerse, and she then gave birth. A slave purchased in a money transaction is circumcised at one day in a case where that person purchased a maidservant, and that person, i.e., someone else, bought her fetus; since the owner of the fetus has no share in its mother, the child may be circumcised immediately after birth.

However, according to the opinion of the first *tanna*, granted that all the cases can be found; however, how can the case of a home-born child circumcised at one day be found?

Rabbi Yirmeya said: It can be found in the case of one who purchases a maidservant for the purpose of purchasing rights to her fetus without purchasing the maidservant herself.

The Gemara asks: This works out well according to the opinion of the one who said that a transaction to purchase an item for its product is not a transaction to purchase the item itself, i.e., one who purchased a field for its fruit did not purchase the field itself. However, according to the opinion of the one who said that a transaction to purchase an item for its product is a transaction to purchase the item itself, what can be said, as he does not distinguish between the purchase of the maidservant herself and the purchase of the children that she bears?

Rav Mesharshiya said: According to this opinion, it must be explained as referring to one who purchases a maidservant on condition that he will not have her immerse. They can stipulate that he will not have her immerse as a maidservant and that she will remain a gentile. In that case, the child is a slave born to a Jew, and the mitzva of circumcision is in effect immediately upon birth.⁴

The Gemara cites a related *baraita* where it was taught that Rabban Shimon ben Gamliel says: With regard to people, any child that remains alive thirty days after birth⁵ is no longer suspected of being a stillborn, and is assumed to be a regular child who will go on living. Proof is cited from that which is stated with regard to the laws of redemption and valuations: "And their redemption, from a month old you shall redeem according to your valuation, five shekels of silver, according to the shekel of the Sanctuary; it is twenty *gera*" (Numbers 18:16), indicating that no value is ascribed to an infant less than a month old, as its viability is uncertain. Likewise, a newborn animal that survives for eight days⁶ is no longer suspected of being a stillborn, as it is stated: "When a bullock or a sheep or a goat is born, it shall be seven days under its mother; and from the eighth day and onward it may be accepted for an offering made by fire to the Lord" (Leviticus 22:27).

הָא לֹא שָׁהָה – סְפִיקָא הוּא

The Gemara asks: Is that to say by inference: If the child did not yet remain alive for thirty days, it is considered an uncertainty whether or not it is a stillborn with regard to several *halakhot*?

מימחל היכי מהלינן ליה?

אמר רב אדא בר אבהו: מלין אותו
ממה נפשך; אם חי הוא – שפיר קא
מהיל, ואם לאו – מחתך בבשר
הוא.

ואלא הא דתנא: ספק בן שבעה
ספק בן שמונה – אין מחללין עליו
את השבת, אמאי? נמהליה ממה
נפשך! אם חי הוא – שפיר קא מהיל,
ואם לאו – מחתך בבשר הוא!

אמר מר בר רב הונא; אנה ורב
נחומי בר זכריה תרגימנא: מימהיל –
הכי נמי מהלינן ליה, לא נצרכה אלא
למכשירי מילה, ואליבא דרבי
אליעזר.

אמר אבוי: כתנאי "וכי ימות מן
הבהמה אשר היא לכם לאכלה"
להביא בן שמונה שאין שחיטתו
מטהרת, רבי יוסי ברבי יהודה
ורבי אלעזר ברבי שמעון אומרים:
שחיטתו מטהרת.

מאי לאו בהא קא מיפלגי, דמר סבר:
חי הוא, ומר סבר: מת הוא.

אמר רבא: אי הכי, אדמיפלגי לענין
טומאה וטהרה – ליפלגי לענין
אכילה!

If so, with regard to **circumcision**, how can we **circumcise him**? Perhaps he is a stillborn and one may not desecrate Shabbat for his circumcision.

Rav Adda bar Ahava said: **One may circumcise him whichever way you look at it**, based on the following calculation: **If he is a child who will live**, the circumcisor **may well circumcise** the child, **and if not**, if the child is a stillborn and the circumcisor is merely **cutting flesh**, one who cuts the flesh of a corpse or the flesh of one with the legal status of a corpse is not considered to have made a wound, and therefore has not performed a prohibited labor.

The Gemara raises a difficulty: **And however**, with regard to **that which was taught in a baraita**: If there is **uncertainty** whether he was **born after seven months of pregnancy**,^h and **uncertainty** whether he was **born after eight months**, **one does not desecrate Shabbat on his behalf** and circumcise him. The Gemara asks: **Why? Let us circumcise him on Shabbat**, as **whichever way you look at it**, that is appropriate. **If he is a child that will live**, the circumcisor **may well circumcise** the child, **and if not**, he is merely **cutting the flesh** of a corpse, which does not violate any Shabbat prohibitions.

Mar, son of Ravina, said: Rav Naḥumei bar Zekharya and I interpreted this as follows: Indeed, as for **circumcision** itself, we do **indeed circumcise** that child even on Shabbat. It was **only necessary** to say that one does not desecrate Shabbat on his behalf **with regard to** the issue of preparing **facilitators of circumcision** on Shabbat, **in accordance with** the opinion of **Rabbi Eliezer** that actions that facilitate circumcision at its appointed time override Shabbat.

Abaye said: The issue of whether a child who has not yet survived thirty days from his birth is considered viable is **parallel to** a dispute between the *tanna'im*ⁿ with regard to the interpretation of the verse: **"And if any animal of which you may eat shall die**, one who touches its carcass shall be impure until the evening" (Leviticus 11:39). The verse is interpreted as coming to **include offspring of eight months**. Large domesticated animals typically give birth after a gestation period of nine months. If an animal of that sort gives birth after eight months, its offspring is deemed to be not viable and **its slaughter does not purify it**.^h Rather, it assumes the status of an unslaughtered animal, which is not only prohibited to be eaten, but also transmits ritual impurity to those who touch or move it. **Rabbi Yosei, son of Rabbi Yehuda, and Rabbi Elazar, son of Rabbi Shimon, say: Its slaughter purifies it**, and it does not assume unslaughtered animal status.

What, is it not that **this** is the matter with regard to which **they disagree? That this Master holds** that the animal is considered **alive** and therefore its slaughter is effective, as is the case with regard to all pure animals, **while this Master**, the first *tanna*, **holds** that it is considered dead.

Rava said: If so, instead of **disagreeing over** the issue of **impurity and purity**, let them **disagree over** the issue of **eating**, i.e., whether it is permitted to eat this offspring after it is slaughtered. Since they did not dispute this point, their disagreement must revolve around a different factor.

HALAKHA

The circumcision of a child born after seven months – **מילת בן שבעה**: A baby born after seven months of pregnancy is circumcised even on Shabbat; the same is true of a baby with regard to whom there is uncertainty whether it was born after seven or after eight months (Rambam *Sefer Ahava*, *Hilkhot Mila* 1:14; *Shulḥan Arukh*, *Yoreh De'a* 266:11 in the comment of the Rema).

The slaughtering of a stillborn – **שחיטת נפל**: Slaughtering a stillborn or any animal fetus whose gestation was not full term does not prevent it from causing ritual impurity as an unslaughtered animal (Rambam *Sefer Tahara*, *Hilkhot She'ar Avot HaTumot* 2:6).

NOTES

Parallel to a dispute between the *tanna'im* – **כתנאי**: According to Rashi and the majority of the commentaries, Abaye applies the dispute between *tanna'im* to Rav Adda bar Ahava's statement. According to this interpretation, the *tanna'im* dispute whether the legal status of one who will not survive is that of a living person in certain respects or whether it is that of a dead person,

in the sense that cutting his flesh would be tantamount to cutting meat. Other commentaries explain that the dispute between the *tanna'im* is cited with regard to the statement of Rabban Shimon ben Gamliel, as they dispute whether the legal status of an animal less than eight days old or a human child less than a month old is that of a living or a dead person (see Rashba).

שחיטת תרפה – *tereifa*: The slaughtering of a *tereifa* – When one slaughters an animal that will die within twelve months [*tereifa*], the slaughter is valid; although the animal may not be eaten, it does not cause the ritual impurity of an unslaughtered animal [*neveila*] (Rambam *Sefer Tahara, Hilkhos She'ar Avot HaTumot* 2:6).

עגל שנולד ביום – A calf that was born on a Festival to an animal that was designated for eating may be slaughtered on that day if it is clear that its gestation was full term (Rambam *Sefer Zemanim, Hilkhos Yom Tov* 2:1; *Shulhan Arukh, Orah Hayyim* 498:5).

בכור שנולד בעל מום – A firstborn born blemished – Since the destruction of the Temple, the firstborn of a kosher animal may not be eaten unless it is blemished. A Sage may not examine it on a Festival to determine if it has a blemish that would permit it to be slaughtered. However, if the firstborn was born blemished, and the Sage violated the *halakha* and examined the blemish on a Festival and determined that it was permanent, the animal may be slaughtered and eaten on the Festival (Rambam *Sefer Zemanim, Hilkhos Yom Tov* 2:4; *Shulhan Arukh, Orah Hayyim* 498:9).

א בן ינון שמת לפני – *halitza* – If a man died childless while his wife was pregnant, and she then gave birth to a child that lived for thirty days, the child exempts its mother and its father's other wives from *halitza* and levirate marriage. However, if the infant died within thirty days, even if it died through an accident, it was not clearly demonstrated to have been viable. Therefore, although its mother may not be married in a levirate marriage, she must perform *halitza* due to the uncertainty, in accordance with the Gemara's final understanding of Abaye's statement (Rambam *Sefer Nashim, Hilkhos Yibbum VaHalitza* 1:5; *Shulhan Arukh, Even HaEzer* 156:4).

NOTES

היתה לה שעת הבושר – *tereifa*: One rationale for this statement is that an animal that was once fit has a presumption of fitness, and a substantial reason is required to undermine that presumption. This is not true of a stillborn, with regard to whom no presumption of fitness was established and who is considered unfit from the outset.

It yawned and died – *פהק ונמת* – Rabbeinu Zerahya HaLevi explains that the phrase yawned and died refers specifically to a case where the baby breathed a bit and immediately died. However, if it died as a result of illness, the baby is considered like one that fell from a roof and died accidentally. Other commentaries state that the phrase yawned and died is only a figure of speech, and if the baby died as a result of illness, we assume that its naturally weak constitution was the cause of its death (Rabbeinu Yona; see *Me'iri*).

אכלא, דכולי עלמא מת הוא, ורבי יוסי ברבי יהודה ורבי אלעזר ברבי שמעון סברי: בטרפה; טרפה, לאו אף על גב דמתה היא – שחיטתה מטהרתה, הכא נמי – לא שנא. ורבנן: לא דמי לטרפה, טרפה – היתה לה שעת הבושר, האי – לא היתה לה שעת הבושר.

וכי תימא טרפה מבטן מאי איכא למימר? התם, יש במינה שחיטה, הכא – אין במינה שחיטה.

איבעיא להו: מי פליגי רבנן עליה דרבן שמעון בן גמליאל או לא? אם תמצא לומר "פליגי" – הלכה כמותו או אין הלכה כמותו?

תא שמע: עגל שנולד ביום טוב – שוחטין אותו ביום טוב. הכא במאי עסקינן – דקים ליה בגויה שכלו לו חדשיו.

תא שמע: ושיוין, שאם נולד הוא ומומו עמו – שזה מן המוכן. הכא נמי: שכלו לו חדשיו.

תא שמע, דאמר רב יהודה אמר שמואל: הלכה כרבן שמעון בן גמליאל. הלכה – מבבל דפליגי, שמע מינה.

אמר אביי: נפל מן הגג או אכלו ארי – דברי הכל חי הוא, כי פליגי – שפיהק ונמת. מר סבר: חי הוא, ומר סבר: מת הוא.

למאי נפקא מיניה – לפטור מן הייבום.

Rather, it must be that everyone agrees that it is considered dead, yet Rabbi Yosei, son of Rabbi Yehuda, and Rabbi Elazar, son of Rabbi Shimon, hold that it has the legal status like that of a *tereifa*, an animal with a condition that will cause it to die within twelve months. With regard to a *tereifa*, is it not that even though it is considered dead from the perspective of *halakha* because there is no possibility of long-term survival, nevertheless, if it is slaughtered, its slaughter purifies it?¹¹ It does not cause ritual impurity like an unslaughtered animal, even though it may not be eaten. Here too, it is no different. And the Rabbis, who do not accept this claim, say: It is not similar to a *tereifa*, since a *tereifa* had a period of fitness before it became a *tereifa*. However, this animal that was born after eight months of pregnancy did not ever have a period of fitness.¹²

And if you say: With regard to an animal that was a *tereifa* from the womb and was born in that condition, what is there to say? It too never had a period of fitness. There is a distinction between the cases. There, with regard to a *tereifa*, there is slaughter in its type; here, with regard to a stillborn, there is no slaughter in its type, as there is no circumstance where slaughter of a stillborn animal is appropriate.

A dilemma was raised before the Sages: Do the Rabbis disagree with Rabban Shimon ben Gamliel, who holds that any animal that survived for eight days after birth is presumed viable, or not? If you say that they disagree, the dilemma is: Is the *halakha* in accordance with his opinion, or is the *halakha* not in accordance with his opinion?

Come and hear proof from that which we learned: With regard to a calf that was born on a Festival,¹³ one may slaughter it on the Festival. Apparently, Rabban Shimon ben Gamliel's opinion is not accepted, and one need not wait eight days after the animal is born. The Gemara refutes this: With what are we dealing here? It is a case in which one is certain that its months of gestation were completed, and therefore, it is certainly not stillborn.

Come and hear another proof from that which we learned: Rabbi Yehuda and Rabbi Shimon, who disagreed with regard to whether or not it is permitted to inspect firstborn animals for blemishes on a Festival, agree that if a firstborn animal was born with its blemish,¹⁴ it is considered prepared for use on the Festival. It is not deemed set-aside and an expert may examine it to determine whether or not it is a permanent blemish. Apparently, a firstborn animal may be slaughtered on the day of its birth. The Gemara refutes this proof as well: It is a case in which one is certain that its months of gestation were completed, and it is certainly not stillborn.

Come and hear a solution to the dilemma, as Rav Yehuda said that Shmuel said: The *halakha* in this matter is in accordance with the opinion of Rabban Shimon ben Gamliel. Nonetheless, from the fact that the *halakha* was ruled in accordance with Rabban Shimon ben Gamliel, by inference, the Sages disagree with his ruling. The Gemara concludes: Indeed, conclude from this the resolution to both dilemmas raised above.

Abaye said: With regard to a baby less than thirty days old that fell off a roof or was eaten by a lion, everyone agrees that he is considered to have been alive; it was a viable baby that died in the accident. Where they disagree is in a case where the baby yawned, i.e., breathed momentarily after birth, and then immediately died.¹⁵ This Master, the Rabbis, hold: The baby is considered to have been living, since it was born alive; and this Master holds: It is considered to have been born dead until it lives a month after its birth.

What practical difference is there whether or not the baby is considered to have been alive? The difference is to exempt the child's mother from levirate marriage. If a man died with no children, and his wife was pregnant and a viable child was born, the woman is exempt from levirate marriage; however, if the child was born dead, the man is considered to have died childless, and his widow is obligated in levirate marriage.¹⁶

נפל מן הגג או אכלו ארי דברי הכל
 חי הוא? והא רב פפא ורב הונא
 בריה דרב יהושע איקלעו לבי בריה
 דרב אידי בר אבין, ועביד להו עיגלא
 תילתא ביממא דשבועה. ואמרי ליה:
 אי איתרחיתו ליה עד לאורתא – הוה
 אכלין מיניה, השתא – לא אכלין
 מיניה!

אלא, כשפיקה ומת – דברי הכל מת
 הוא, כי פליגי – בנפל מן הגג ואכלו
 ארי. מר סבר: מת הוא, ומר סבר: חי
 הוא.

בריה דרב דימי בר יוסף אתיליד ליה
 ההוא ינוקא, בגו תלתין יומין שכיב.
 יתיב קמתאביל עילויה. אמר ליה
 אביוה: צוורמיתא קבעית למיכל?
 אמר ליה: קים לי ביה שכלו לו חדשיו.

רב אשי איקלע בי רב כהנא, איתרע
 ביה מילתא בגו תלתין יומין. חזייה
 דיתב וקא מתאביל עילויה, אמר ליה:
 לא סבר ליה מר להא דאמר רב יהודה
 אמר שמואל "הלכה כרבן שמעון בן
 גמליאל"? אמר ליה: קים לי בגייה
 שכלו לו חדשיו.

איתמר, מת בתוך שלשים, ועמדה
 ונתקדשה. אמר רבינא משמיה דרבא:

The Gemara raises a difficulty: Is that to say that if the child **fell off a roof or was eaten by a lion, everyone agrees that it is considered to have been alive?** Didn't Rav Pappa and Rav Huna, son of Rav Yehoshua, happen to come to the house of the son of Rav Idi bar Avin, and he prepared for them a third-born calf^N on the seventh day after its birth. And they said to him: Had you waited to slaughter it until the evening, we would have eaten from it. Now that you did not wait, we shall not eat from it.^H Apparently, if a calf is slaughtered before it was alive for eight days and definitely viable, suspicion that it is still-born remains; the same is true of a child who dies from an accident within thirty days of birth.

Rather, Abaye's statement must be reformulated: **When the baby yawned and died, everyone agrees that it is considered to have been dead from the outset. Where they disagree is in a case when it fell off a roof or was eaten by a lion:** This Master, Rabban Shimon ben Gamliel, holds: It is considered to have been dead; and this Master holds that since it did not die on its own, it is considered to have been alive.

The Gemara relates: **A baby was born to the son of Rav Dimi bar Yosef. Within thirty days the baby died. He sat and mourned over him.**^H His father, Rav Dimi bar Yosef, said to him: Are you mourning because you wish to partake of the delicacies fed to mourners? The *halakha* deems a child that dies before thirty days stillborn, and one does not mourn over it. He said to him: I am certain that its months of gestation were completed.

The Gemara similarly relates that Rav Ashi happened to come to Rav Kahana's house. A matter befell him, i.e., his child died within thirty days of its birth. Rav Ashi saw him and observed that he was sitting and mourning over him. He said to him: Doesn't the Master hold in accordance with that which Rav Yehuda said that Shmuel said: The *halakha* is in accordance with Rabban Shimon ben Gamliel, that only a child who lived for thirty days is not considered stillborn? He said to him: I am certain that its months of gestation were completed and he is not to be considered a stillborn.

It was stated that the Sages discussed the following question: What is the ruling in a case where a baby died within thirty days after birth, leaving its mother a childless widow, and before they decided whether or not she was obligated in levirate marriage, she stood and was betrothed to another? Ravina said in the name of Rava:

NOTES

A third-born calf – עיגלא תילתא: A calf that is the third born to its mother is considered to be of choice quality, because its mother is fully matured, and the birth is less difficult and the calf is not injured during birth. Even calves born thereafter are not considered to be of comparable quality, because the mother has already begun to age. Consequently, the third calf is the choicest (*ge'onim*).

HALAKHA

Eating a newborn animal – אכילת ילד בהמה – A newborn animal that is known to have been carried to full term may be slaughtered immediately upon birth. If it is not known whether the gestation was full term, it may be slaughtered from the night of the eighth day after its birth (Rambam *Sefer Kedusha*, *Hilkhot Ma'akhalot Assurot* 4:4; *Shulhan Arukh*, *Yoreh De'a* 15:2).

Mourning for a newborn baby – אבילות על תינוק – There is no halakhic obligation to mourn a baby that died within thirty days after its birth, because it has the status of a potential stillborn. However, if it can be established that the mother carried the child to full term, one mourns the baby, as indicated by the incidents related in the Gemara (Rambam *Sefer Shofetim*, *Hilkhot Evel* 1:6–7; *Shulhan Arukh*, *Yoreh De'a* 374:8).

Perek XIX
 Daf 136 Amud b

אם אשת ישראל היא – חולצת, אם
 אשת כהן היא – אינה חולצת.

If she is the wife of an Israelite,^H meaning she became betrothed to an Israelite, who may marry a woman who has undergone *halitza*, she performs *halitza* due to uncertainty. Given that the child may have been stillborn and therefore never considered alive, in which case she would be obligated to undergo levirate marriage or perform *halitza*, by performing *halitza*, she removes any doubt and can remain with her new husband. However, if she is the wife of a priest, she does not perform *halitza*, as if she were to perform *halitza* she would be prohibited to her husband the priest.^N Since there are those who hold that the baby is considered alive from the moment of its birth, based on that opinion, she is exempt from performing *halitza*, after the fact.

HALAKHA

אם אשת ישראל וכו' – If she is the wife of an Israelite, etc. – If a man passed away without children and his wife was pregnant, and she gave birth to a child who died within thirty days, and it was not clear whether or not the child was carried full term, the widow is rabbinically obligated to perform *halitza*. This is due to the possibility that the child was not viable. If she becomes betrothed to another man who is an

Israelite, the brother of her late husband performs *halitza* with her, and she marries the man to whom she was betrothed. However, if she became betrothed to a priest, she does not perform *halitza*. This is in accordance with Ravina's statement that Rava exempted a woman in that case from *halitza* (Rambam *Sefer Nashim*, *Hilkhot Yibbum VaHalitza* 2:21; *Shulhan Arukh*, *Even HaEzer* 164:7).

NOTES

Levirate marriage and halitza – יבום וחליצה – The laws of levirate marriage and *halitza* appear in the Torah (Deuteronomy 28:5–10) and are articulated at length in tractate *Yevamot*, which is devoted to this topic. The basic concept is that if a man dies with no living descendants, his wife is obligated by a levirate bond to her husband's brother. The brother must either take her as a wife through levirate marriage, or sever the bond by means of the ceremony of *halitza*. As long as the levirate bond is intact, it is prohibited for her to marry a different man, and if she does so, as long as her marriage continues she is performing an ongoing transgression. Although the *halakhot* of levirate marriage and *halitza* are not like those of a regular marriage, and a woman who has undergone *halitza* is not prohibited to marry a priest by Torah law, the Sages decreed that the legal status of a woman who undergoes *halitza* is that of a divorcee, in the sense that it is prohibited for a priest to marry her.

NOTES

Vows of valuation – עֲרֵכִין: The laws of valuations appear in the Torah (Leviticus 27:1–8), and are detailed in tractate *Arakhin*. The basic concept of valuation refers to a situation where one donates his value to the Temple treasury. The Torah fixes certain values for each gender and age group. The consensus is that one who is not categorized as belonging to a particular gender has no specific, Torah-determined value, and the value of that person cannot be calculated by other means. Therefore, valuation to the Temple would be meaningless.

A *tumtum* or a hermaphrodite – טומטום ואַנדרוגינוס: A *tumtum* and a hermaphrodite are classified together in regard to many issues, since they are neither male nor female. There is, however, a fundamental difference between them: A *tumtum* is a case of unresolved uncertainty, which can sometimes be resolved either way. A hermaphrodite, by contrast, might be an entity in and of itself, constituting a third, unique gender.

BACKGROUND

***Tumtum* – טומטום:** A *tumtum* is one whose external sexual organs are indeterminate, and it is unclear whether the person is male or female. In certain cases, the gender of the *tumtum* is later established, which is described in the language of the *halakha* as: A *tumtum* who was torn, revealing his gender, at which point this person is considered a full-fledged member of that gender.

HALAKHA

The valuations of a *tumtum* and a hermaphrodite – עֲרֵכִי: טומטום ואַנדרוגינוס: The Torah established fixed amounts for the valuations of males and females, but there is no valuation whatsoever given for a *tumtum* or a hermaphrodite. When that type of person donates his value, no obligation is incurred (Rambam *Sefer Hafla'a*, *Hilkhot Arakhin* 1:5).

רַב שְׁרֵבְיָא מְשַׁמֵּיָּה דְרַבָּא אָמַר: אַחַת זֹו וְאַחַת זֹו – חוֹלְצֶת.

אָמַר לִיה רַבִּינָא לְרַב שְׁרֵבְיָא: בְּאוֹרְתָא אָמַר רַבָּא הָכִי, לְצַפְרָא דְדֹר בֵּיה. אָמַר לִיה: שְׁרִיתוּהָ? יְהֵא רַעְוָא דְתִשְׁרוּ תְרַבָּא.

רַבִּי יְהוּדָה מְתִיר וְכו'. אָמַר רַב שִׁיזְבִּי אָמַר רַב חֲסִידָא: לֹא לְכָל אָמַר רַבִּי יְהוּדָה אַנְדְּרוֹגִינוֹס זָכָר הוּא, שְׁאֵם אֶתָּה אוֹמֵר בֶּן – בְּעֶרְכִּין יֵעָרֵךְ!

וּמִנֵּלְן דְּלֹא מִיעָרֵךְ – דְּתֵנָּא: "הַזָּכָר" – וְלֹא טוֹמְטוֹס וְאַנְדְּרוֹגִינוֹס. יָכוֹל לֹא יֵהָא בְּעֶרְךְ אִישׁ, אֲבָל יֵהָא בְּעֶרְךְ אִשָּׁה – תִּלְמוּד לֹאִמֵּר: "הַזָּכָר וְאֵם נִקְבָּה הִיא". זָכָר וְדֹא, נִקְבָּה וְדֹאִית, וְלֹא טוֹמְטוֹס וְאַנְדְּרוֹגִינוֹס.

Rav Sherevyā said in the name of Rava: Both this, the woman married to an Israelite, and that, the woman married to a priest, perform *ḥalitza*, as the prohibition against marrying a woman not released from her bond of levirate marriage is a stringent one, and the fact that her husband is a priest is not taken into consideration.

Ravina said to Rav Sherevyā: In the evening Rava indeed said so, as you said; however, in the morning he retracted his statement, and that is what I cited. Rav Sherevyā, however, did not accept this explanation, and said: Did you permit the wife of a priest without *ḥalitza*, despite the fact that Rabban Shimon ben Gamliel deems the baby stillborn unless he survives to the age of thirty days? Since you have violated his ruling, may it be God's will that you continue along this path and permit the eating of forbidden fat.

We learned in the mishna that Rabbi Yehuda permits circumcising a hermaphrodite on Shabbat. Rav Sheizvi said that Rav Ḥisda said: Not with regard to all matters did Rabbi Yehuda say that a hermaphrodite is considered a male; it was only with regard to circumcision, as if you say so, that the legal status of a hermaphrodite is that of a male in every sense, then even with regard to vows of valuation,ⁿ he should be valued.

And from where do we derive that he is not valued? As it was taught in the *Sifra*, the halakhic midrash on Leviticus, with regard to the verse: "Then your valuation shall be for the male from the age of twenty years until the age of sixty years, your valuation shall be fifty shekel of silver, after the shekel of the Sanctuary" (Leviticus 27:3). The Sages inferred: "The male" means the definite male but not a *tumtum*^b or a hermaphrodite.ⁿ I might have thought that these shall not be valued according to the valuation of a man, but shall be valued according to the valuation of a woman. Therefore, the verse states: "The male," and in the following verse: "And if she is a female, then your valuation shall be thirty shekels" (Leviticus 27:4), indicating: Only a definite male or a definite female, but not a *tumtum* or a hermaphrodite,^h which are categorized as neither male nor female.

Perek XIX

Daf 137 Amud a

NOTES

An unattributed *Sifra* generally reflects the opinion of Rabbi Yehuda – סֵתָם סְפָרָא רַבִּי יְהוּדָה: There is a talmudic tradition that unattributed *mishnayot* were formulated by and reflect the views of Rabbi Meir. Similar traditions exist with regard to other tannaitic works. The *Sifra*, also known as *Torat Kohanim*, the halakhic midrash on Leviticus, generally reflects the opinion of Rabbi Yehuda.

וְסֵתָם סְפָרָא רַבִּי יְהוּדָה.

אָמַר רַב נַחֲמָן בְּרַי יִצְחָק: אִף אֲנִי נִמְי תִּנְיָנָא "הַבֵּל בְּשָׂרִים לְקֹדֶשׁ, חוּץ מִחֲרֹשׁ שׁוֹטֵה וְקֹטֵן. רַבִּי יְהוּדָה מְכַשֵּׁיר בְּקֹטֵן, וּפּוֹסֵל בְּאִשָּׁה אַנְדְּרוֹגִינוֹס" – שְׂמַע מִיָּהָ.

And an unattributed *halakha* cited in the *Sifra* generally reflects the opinion of Rabbi Yehuda.ⁿ

Rav Naḥman bar Yitzḥak said: We too also learned in a mishna that Rabbi Yehuda does not consider a hermaphrodite to be a male in every sense. The Sages disagreed over sanctification of the waters of a purification offering, i.e., the placing of the ashes of the red heifer in potable, running spring water: Everyone is fit to sanctify the waters of a purification offering,^h except for a deaf-mute, an imbecile, and a minor. Rabbi Yehuda deems a minor fit, but deems a woman and a hermaphrodite unfit. Apparently, Rabbi Yehuda does not consider the legal status of a hermaphrodite to be like that of a male. The Gemara concludes: Conclude from this.

HALAKHA

The sanctification of the waters of a purification offering – קִידוּשׁ מִי חֲטָאֵת: The sanctification of the waters of a purification offering, i.e., the placing of the ashes of the red heifer in potable, running spring water, is valid

if performed by any Jew, including a woman, apart from a deaf-mute, an imbecile, and a minor, in accordance with the view of the Rabbis (Rambam *Sefer Tahara*, *Hilkhot Para Aduma* 6:2).

The meaning of male according to Rabbi Yehuda – **משמעות זכר לרבי יהודה** – In the Jerusalem Talmud as well, Rabbi Yehuda considers a hermaphrodite to be male only with regard to circumcision. The explanation given there is that Rabbi Yehuda and the Rabbis disagree over the implication of the phrase “uncircumcised male” that appears in a different verse. The Rabbis understood that the superfluous word “male” indicates that circumcision only applies to one who is indisputably male. Rabbi Yehuda understood that the word “uncircumcised” indicates that the mitzva applies to anyone who is uncircumcised.

And both of them only derived it from idolatry – **ושניהם לא למדוה אלא מעבודה זרה** – The Sages had a tradition that the verses in Numbers (15:22–31) refer to the *halakhot* of the special sin-offering for unwitting idolatry. Nevertheless, that passage is the source for many of the general *halakhot* of sin-offerings, and therefore analogies are made between other transgressions of Torah law and idolatry.

HALAKHA

Rabbi Yehuda taught the first clause as stating exempt... Rabbi Eliezer and Rabbi Yehoshua did not disagree, etc. – **רב יהודה מתני – רבי אליעזר ורבי יהושע וכו' פטור... לא נחלקו רבי אליעזר ורבי יהושע וכו'** If one had two babies to circumcise, one to circumcise on Shabbat, and one on Shabbat eve or after Shabbat, and he mistakenly circumcised them both on Shabbat, he is exempt from bringing a sin-offering. Since he is permitted, and even required, to override Shabbat in order to circumcise one of them, his mistake is attributed to his preoccupation with the performance of the mitzva, and therefore he is exempt. The *halakha* is in accordance with the version of Rav Yehuda, since the *baraita* of the school of Rabbi Hiyya supports him, and Rabbi Yannai's statement also explains this opinion (*Kesef Mishne*; Rambam *Sefer Korbanot*, *Hilkhot Shegagot* 2:8).

ומאי שנא מילה – משום דכתיב “המול לכם כל זכר”.

The Gemara asks: What is different about the *halakhot* of circumcision, with regard to which Rabbi Yehuda categorizes a hermaphrodite as a male in regard to its laws? The Gemara answers that it is due to the fact that it is written: “This is My covenant which you shall keep, between Me and you and your seed after you: Circumcise for yourselves every male” (Genesis 17:10), and he interprets the phrase “every male” as an amplification including anyone who could possibly be included in the category of a male.^N

מתני' מי שהיו לו שני תינוקות, אחד למול אחר השבת ואחד למול בשבת. ושכח, ומל את של אחר השבת בשבת – חייב.

MISHNA One who had two babies to circumcise, one of whom he needed to circumcise on the day after Shabbat, and one of whom he needed to circumcise on Shabbat, and he forgot and circumcised the one that should have been circumcised after Shabbat on Shabbat, he is liable to bring a sin-offering, because he performed the prohibited labor of causing a wound not in the framework of performing a mitzva, as no obligation yet exists to circumcise the child.

אחד למול בערב שבת, ואחד למול בשבת, ושכח ומל את של ערב שבת בשבת, רבי אליעזר מחייב חטאת, ורבי יהושע פוטר.

If there were two babies, one to circumcise on Shabbat eve, and one to circumcise on Shabbat, and he forgot and circumcised the one that he should have circumcised on Shabbat eve on Shabbat, Rabbi Eliezer deems him liable to bring a sin-offering, as circumcision after its appointed time does not override Shabbat. And Rabbi Yehoshua exempts him; since he intended to perform a mitzva, and despite his error in fact performed a mitzva, he is exempt from bringing a sin-offering.

גמ' רב הונא מתני “חייב” רב יהודה מתני פטור.

GEMARA There is a dispute among the *amora'im* with regard to the correct version of our mishna, based on an early dispute of the *tanna'im*: Rav Huna teaches the first clause of the mishna as stating: Liable, whereas Rav Yehuda teaches the first clause as stating: Exempt.

רב הונא מתני “חייב” – דתניא, אמר רבי שמעון בן אלעזר: לא נחלקו רבי אלעזר ורבי יהושע על מי שהיו לו שני תינוקות, אחד למול בשבת ואחד למול אחר השבת, ושכח ומל את של אחר השבת בשבת – שהוא חייב.

The Gemara explains: Rav Huna taught the first clause as stating: Liable, based on that which was taught in a *baraita* that Rabbi Shimon ben Elazar said: Rabbi Eliezer and Rabbi Yehoshua did not disagree with regard to one who had two babies, one to circumcise on Shabbat and one to circumcise after Shabbat, and he forgot and circumcised the one who should have been circumcised after Shabbat on Shabbat; in that case, everyone agrees that he is liable to bring a sin-offering.

על מה נחלקו – על מי שהיו לו שני תינוקות, אחד למול בערב שבת ואחד למול בשבת, ושכח ומל את של ערב שבת בשבת. שרבי אליעזר מחייב חטאת, ורבי יהושע פוטר.

With regard to what did they disagree? With regard to one who had two babies, one to circumcise on Shabbat eve and one to circumcise on Shabbat, and he forgot and circumcised the one who should have been circumcised on Shabbat eve on Shabbat, as Rabbi Eliezer renders him liable to bring a sin-offering for this unwitting transgression, and Rabbi Yehoshua exempts him.

ושניהם לא למדוה אלא מעבודה זרה. רבי אליעזר סבר: כעבודה זרה, מה עבודה זרה אמר רחמנא “לא תעבד” וכי עבד – מיחייב, הכא נמי – לא שנא.

And both of them only derived it from idolatry,^N where the Torah details the *halakhot* of bringing a sin-offering for an unwitting transgression. Rabbi Eliezer holds: The law of every unwitting transgression is like that of idolatry. Just as with regard to idolatry the Torah stated: Do not perform certain activities, and when one performs them unwittingly, he is liable to bring a sin-offering, here too it is no different, and since he transgressed the prohibition, he is liable to bring a sin-offering.

ורבי יהושע, התם – דלאו מצוה, הכא – מצוה.

And Rabbi Yehoshua holds: There, where the unwitting transgression was not performed in order to fulfill a mitzva, one is liable to bring a sin-offering. Here, his intention was to perform a mitzva, and one who unwittingly violates a prohibition in the course of attempting to fulfill a mitzva is exempt from bringing a sin-offering. This is according to the opinion of Rav Huna, based on the opinion of Rabbi Shimon ben Elazar.

רב יהודה מתני “פטור” – דתניא, אמר רבי מאיר: לא נחלקו רבי אליעזר ורבי יהושע על מי שהיו לו שני תינוקות, אחד למול בערב שבת ואחד למול בשבת, ושכח ומל את של ערב שבת בשבת – שהוא פטור.

Rav Yehuda taught the first clause as stating: Exempt, based on that which was taught in a *baraita* that Rabbi Meir said: Rabbi Eliezer and Rabbi Yehoshua did not disagree^H over one who had two babies to circumcise, one to circumcise on Shabbat eve and one to circumcise on Shabbat, and he forgot and circumcised the one who should have been circumcised on Shabbat eve on Shabbat; in that case, everyone agrees that he is exempt from bringing a sin-offering, as that circumcision fulfilled a mitzva.

על מה נחלקו – על מי שהיו לו שני תינוקות, אחד למול אחר השבת ואחד למול בשבת, ושכח ומל את של אחר השבת בשבת. שרבי אליעזר מחייב חטאת, ורבי יהושע פוטר.

ושניהם לא למדוה אלא מעבודה זרה. רבי אליעזר סבר: בעבודה זרה, מה עבודה זרה אמר רחמנא "לא תעבד", וכי עבד – מיחייב, הכא נמי – לא שנא.

ורבי יהושע: הָתָם – לא טריד מצוה, הכא – טריד מצוה.

תני רבי חייא, אומר היה רבי מאיר: לא נחלקו רבי אליעזר ורבי יהושע על מי שהיו לו שני תינוקות אחד למול בערב שבת ואחד למול בשבת, ושכח ומל את של ערב שבת בשבת – שהוא חייב.

על מה נחלקו – על מי שהיו לו שני תינוקות, אחד למול אחר השבת ואחד למול בשבת, ושכח ומל של אחר השבת בשבת, שרבי אליעזר מחייב חטאת ורבי יהושע פוטר.

השתא, רבי יהושע סיפא דלא קא עבד מצוה – פוטר, רישא דקא עבד מצוה מחייב!?

אמר רבי ינאי: רישא – כגון שקדם ומל של שבת בערב שבת, דלא ניתנה שבת לידחות. סיפא – ניתנה שבת לידחות.

אמר ליה רב אשי לרב כהנא: רישא נמי, ניתנה שבת לידחות לגבי תינוקות דעלמא! להאי גברא מיהא לא איתיהיב.

מתני' קטן נימול לשמנה לתשעה ולעשרה ולאחד עשר ולשנים עשר, לא פחות ולא יותר.

With regard to what did they disagree? With regard to one who had two babies, one to circumcise after Shabbat and one to circumcise on Shabbat, and he forgot and circumcised the one who should have been circumcised after Shabbat on Shabbat, as Rabbi Eliezer deems him liable to bring a sin-offering, and Rabbi Yehoshua exempts him.

And the Gemara notes here too that both of them only derived it from idolatry. Rabbi Eliezer holds: The *halakha* of every unwitting transgression sin is like that of idolatry: Just as with regard to idolatry the Torah stated: Do not perform certain activities, and when one performs them unwittingly he is liable to bring a sin-offering, here too it is no different, and since he violated the prohibition, he is liable to bring a sin-offering.

And Rabbi Yehoshua holds: There, with regard to idolatry, one is liable to bring a sin-offering when he performs the transgression, because he is not preoccupied with the performance of a mitzva. Here, he is preoccupied with the performance of a mitzva, and anyone who unwittingly transgresses a prohibition while preoccupied with a mitzva is exempt from bringing a sin-offering.

Rabbi Hiyya taught another version of the same dispute between the *tanna'im*: Rabbi Meir would say that Rabbi Eliezer and Rabbi Yehoshua did not disagree over one who had two babies, one to circumcise on Shabbat eve and one to circumcise on Shabbat, and he forgot and circumcised the one who should have been circumcised on Shabbat eve on Shabbat; in that case, everyone agrees that he is liable to bring a sin-offering.

With regard to what did they disagree? With regard to one who had two babies to circumcise, one to circumcise after Shabbat and one to circumcise on Shabbat, and he forgot and circumcised the one who should have been circumcised after Shabbat on Shabbat, Rabbi Eliezer deems him liable to bring a sin-offering, and Rabbi Yehoshua exempts him.

The Gemara expresses surprise at this last version: Now, after all, in the latter clause, where he did not perform a mitzva, Rabbi Yehoshua exempts him; in the first clause, where he performed a mitzva, does Rabbi Yehoshua deem him liable?

In the school of Rabbi Yannai they say: The first clause of the *baraita* is referring to a unique situation, where the circumcisor first unwittingly circumcised the baby who should have been circumcised on Shabbat on Shabbat eve. In that case, Shabbat is not given to be overridden at all, since the baby who was supposed to be circumcised on Shabbat was already circumcised. In the latter clause, however, the circumcision was performed in a situation where Shabbat is given to be overridden.

Rav Ashi said to Rav Kahana that this explanation is difficult: In the first clause too, Shabbat is given to be overridden with regard to babies in general, as it is permitted to circumcise a baby whose eighth day occurs on Shabbat. He replied: That is indeed so; however, with regard to this person, Shabbat is not given to be overridden, as there is no longer any child who is supposed to be circumcised on Shabbat. Therefore, if he unwittingly performed a circumcision on Shabbat, he is not considered to have unwittingly performed a transgression while preoccupied with the performance of a mitzva.

MISHNA Although a child is generally circumcised at eight days, as the verse states: "And on the eighth day, the flesh of his foreskin shall be circumcised" (Leviticus 12:3), nevertheless, at times he is circumcised at nine days, at times at ten days, at eleven days, and at twelve days, no earlier and no later.

הא ביצד: כְּדָרְבוּ – לְשִׁמְנָה, נולד לַבֵּין
הַשְּׁמֻשׁוֹת – נִמּוֹל לְתִשְׁעָה, בֵּין הַשְּׁמֻשׁוֹת
שֶׁל עֶרֶב שַׁבָּת – נִמּוֹל לְעֶשְׂרֵה.

יוֹם טוֹב לְאַחֵר הַשַּׁבָּת – נִמּוֹל לְאַחַד עָשָׂר,
שְׁנֵי יָמִים שֶׁל רֹאשׁ הַשָּׁנָה – נִמּוֹל לְשָׁנִים
עָשָׂר.

קָטָן הַחוּלָה – אֵין מוֹהֲלִין אוֹתוֹ עַד שֶׁיִּבְרִיא.

גַּמְ' אָמַר שְׁמוּאֵל: חֲלָצְתוּ חֲמָה – נוֹתְנִין לוֹ
כָּל שְׁבַעָה לְהִבְרֹתוֹ.

אִיבַעֲיָא לָהּ: מִי בָּעִינָא מֵעַתָּה לֵּעַת?

תָּא שְׁמַע: דְּתַנִּי לִנְדָא "יוֹם הַבְּרִיאָתוֹ כְּיוֹם
הַיּוֹלָדוֹ". מֵאֵי לָא, מֵה יוֹם הַיּוֹלָדוֹ – לֹא בָּעִינָא
מֵעַתָּה לֵּעַת, אֶף יוֹם הַבְּרִיאָתוֹ לֹא בָּעִינָא מֵעַתָּה
לֵּעַת.

לֹא, עָדִיף יוֹם הַבְּרִיאָתוֹ מִיוֹם הַיּוֹלָדוֹ. דְּאִילוּ
יוֹם הַיּוֹלָדוֹ – לֹא בָּעִינָא מֵעַתָּה לֵּעַת, וְאִילוּ יוֹם
הַבְּרִיאָתוֹ – בָּעִינָא מֵעַתָּה לֵּעַת.

מִתְנִי' אֵלּוּ הֵן צִיָּצִין הַמַּעֲבָבִין אֶת הַמִּילָה:
בְּשָׂר הַחוּפָּה אֶת רוֹב הָעֶטְרָה, וְאִינוּ אוֹכְלִין
בְּתְרוּמָה.

וְאִם הָיָה בָּעַל בְּשָׂר – מִתְקַנֵּה מִפְּנֵי מְרִאֲתֵי
הָעֵין.

How so? In his usual manner, a child is circumcised at eight days. If he was born at twilight^N and it is therefore uncertain on which day he was born, he is circumcised at nine days,^H as his circumcision is postponed due to that uncertainty, as perhaps the eighth day from his birth has not yet arrived. If he was born at twilight on Shabbat eve, he is not circumcised on the following Shabbat, due to the uncertainty whether it is the eighth or ninth day since his birth, and only a circumcision definitely performed at the appointed time overrides Shabbat. Rather, he is circumcised on Sunday, and the result is that he is circumcised at ten days.

If there was a Festival after that Shabbat, he is not circumcised on the Festival either, and he is circumcised at eleven days. And if that Shabbat was followed by two days of Rosh HaShana, the result is that he is circumcised at twelve days.

The mishna states another *halakha*: With regard to a sick child, one does not circumcise him until he becomes healthy.

GEMARA We learned in the mishna that one does not circumcise a sick baby until he becomes healthy. Shmuel said: A baby that was sick and had a high fever, and subsequently the fever left him,^H one gives him a full seven days to heal before circumcising him.

With regard to this issue, a dilemma was raised before the Sages: Do we require, during the recovery period, to wait from the time the seven days begin to the exact same time seven days later, i.e., seven complete, twenty-four-hour periods, or is it enough to wait seven days without taking into account the time of day?

The Gemara suggests: Come and hear a solution to this from that which the Sage Luda taught: The day of his healing is like the day of his birth. What, is it not that just as from the day of his birth we need not wait from the time he is born to the same time on the eighth day to circumcise him, so too, with regard to the day of his healing, we need not wait from the time he heals to the same time seven days later?

The Gemara refutes this: No, the day of his healing is superior to the day of his birth. While from the day of his birth until circumcision we need not wait from time to time, from the day of his healing we need to wait seven complete days from time to time.

MISHNA These are the shreds of flesh that invalidate the circumcision^H if they are not cut. The essential element of circumcision is the removal of the flesh that covers most of the corona, and a child that was not circumcised in this manner is considered uncircumcised, and he does not eat *teruma*.

And if he was properly circumcised but he was fleshy,^H and it appears as though he has not been properly circumcised, the circumcisor should correct it by circumcising more than necessary, to avoid the appearance of transgression, so he will not appear uncircumcised.

Perek XIX
Daf 137 Amud b

מִלּוֹ וְלֹא פָּרַע אֶת הַמִּילָה – כְּאִילוּ לֹא מָל.

גַּמְ' אָמַר רַבִּי אֲבִינָא אָמַר רַבִּי יִרְמְיָה בְּרַ
אֲבָא אָמַר רַב: בְּשָׂר הַחוּפָּה אֶת רוֹב גּוֹבְהָה
שֶׁל עֶטְרָה.

If one circumcised but did not uncover^H the flesh at the area of the circumcision by folding back the thin membrane beneath the foreskin, it is as if he had not circumcised.

GEMARA Rabbi Avina said that Rabbi Yirmeya bar Abba said that Rav said: When the mishna said most of the corona, they meant the flesh that covers most of the height of the corona, as well as most of its circumference.

NOTES

Born at twilight – נולד לבין השמשות: It is explained in the Jerusalem Talmud that a baby born at twilight cannot be circumcised eight days later at twilight, since it is impossible to approximate the same exact moment as the birth, as there is uncertainty with regard to each moment of twilight as to whether it is considered day or night. Therefore, the circumcision must be postponed until the following day.

HALAKHA

A child is circumcised at eight days...at nine days, etc. – קָטָן נִמּוֹל לְשִׁמְנָה לְתִשְׁעָה וְכו' – The circumcision of a baby born at twilight might be postponed due to the sanctity of Shabbat and Festivals in the exile or the sanctity of Rosh HaShana for as many as twelve days after his birth (Rambam *Sefer Ahava, Hilkhot Mila* 1:12; *Shulhan Arukh, Yoreh De'a* 266:8).

The fever left him – חלצתו חמה – A baby that became physically ill is not circumcised until he regains his health. His circumcision is postponed seven complete days from the time he recovered from his illness (Rambam *Sefer Ahava, Hilkhot Mila* 1:16; *Shulhan Arukh, Yoreh De'a* 262:2).

Shreds of flesh that invalidate the circumcision – ציצין המעבבין את המילה – After a circumcision, if skin remains that covers most of the height of the corona, even in a single place, the circumcision is invalid. However, if only a small amount of skin is left and it does not cover most of the corona, it does not invalidate the circumcision after the fact. Nevertheless, *ab initio*, it is fitting to circumcise the infant completely (Rambam *Sefer Ahava, Hilkhot Mila* 2:3; *Shulhan Arukh, Yoreh De'a* 264:5).

A fleshy baby – תינוק בעל בשר – A fleshy baby that looks as though he has not been circumcised is examined. If he appears circumcised when his penis is erect, there is no need to circumcise him again, but his skin is pulled back and held in place. However, if he does not appear to be circumcised when his penis is erect, the infant is circumcised a second time in order to avoid the appearance of being uncircumcised (Rambam *Sefer Ahava, Hilkhot Mila* 2:5; *Shulhan Arukh, Yoreh De'a* 264:6).

HALAKHA

Circumcised but did not uncover – מל ולא פרע – After the foreskin is removed, the area must be uncovered by removing the membrane under the foreskin. If this was not done, the circumcision is invalid (*Shulhan Arukh, Yoreh De'a* 264:4).

He appears circumcised but does not appear fully circumcised – **נִרְאָה וְאֵינוֹ נִרְאָה**: In other words, the difference between the mishna and the *baraita* is not simply a matter of formulation. Rather, there is a practical difference: Is it necessary to examine the child to make certain that he is clearly circumcised, or is it enough to ascertain that he does not appear uncircumcised? Although there is no difference between the two opinions in ordinary cases, there are ramifications in borderline cases.

The one who recites the additional blessing says – **הַמְבָרֵךְ אוֹמֵר**: The one who recites the blessing is a designated individual, whether the person who performed the circumcision or any other person, who holds a cup of wine in his hand and recites an additional blessing over the circumcision. Some authorities explain that the rationale for the second blessing is that since this mitzva was already fulfilled by the Patriarchs, the Sages instituted a special blessing in their honor (*Tosefot Rid*).

Made the beloved one holy from the womb – **קִידֵשׁ יְדִיד מִבֶּטֶן**: See *Tosafot*, who explain that this blessing alludes to all of the Patriarchs. Some commentaries understand that Rashi says this entire blessing refers only to Isaac, because he was the first to be circumcised at eight days. Isaac is described as beloved in the verse “Your son...whom you love” (Genesis 22:2; *Me’ir*). There is also a dispute over the word *tzadi*, *vav*, *heh* that appears in this blessing: Some commentaries explain that it should be pronounced *tzavei*, and it is a request that God save us from the punishments of Gehenna. That reading appeared in many prayer books. The *ge’onim* and others, however, read it as *tziva*, past tense in praise for an event that already took place.

To circumcise and drip covenantal blood – **לְמוֹל וְלִהְיוֹת דָּם בְּרִית**: Some commentaries explain that dripping blood is mentioned in the blessing because there are converts who enter the covenant already circumcised. Other authorities suggest that it comes to remind the convert, a mature adult, of the value and significance of the covenant as he sees his blood dripping (Rabbeinu Zerahya HaLevi). Alternatively, while the sanctity of the Jewish people begins in the womb, the sanctity of a convert begins with the drip of the blood of the covenant (see *Me’ir*).

HALAKHA

The blessings upon circumcision – **בְּרִכּוֹת הַמִּוֶּלֶה**: The person performing the circumcision recites the blessing: Concerning circumcision, and the father of the circumcised child recites the blessing: To bring him into the covenant of Abraham, our father. If the father is absent or is unable to recite the blessing, the custom is for the one who holds the baby to do so. The custom is to recite a blessing over the wine and then to recite: Who made the beloved one holy... who establishes the covenant (*Shulhan Arukh, Yoreh De’a 265:1*).

Circumcision of converts – **מִוֶּלֶת גֵּרִים**: One who circumcises converts recites the blessing: To circumcise converts, and then recites the blessing: Who has made us holy...to circumcise...were it not for the blood of the covenant...Who establishes the covenant (*Shulhan Arukh, Yoreh De’a 268:5*).

Circumcision of slaves – **מִוֶּלֶת עֲבָדִים**: One who circumcises a slave recites the blessing: Who has made us holy...to circumcise slaves, and then adds the blessing: Who has made us holy...to circumcise slaves...Who establishes the covenant, as stated by the Gemara, in accordance with the reading of the Rif (*Shulhan Arukh, Yoreh De’a 267:12*).

“וְאִם הָיָה בֶּעַל בָּשָׂר וְכוּ’.” אָמַר שְׁמוּאֵל: קָטַן הַמְסוּבָּל בְּבָשָׂר, וְרָאִין אוֹתוֹ, כֹּל זְמַן שְׁמִתְקַשֶּׁה וְנִרְאָה מֵהוּל – אֵינוֹ צָרִיךְ לְמוֹל, וְאִם לֹא – צָרִיךְ לְמוֹל.

בְּמִתְנִיתָא תָנָא, רַבִּין שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: קָטַן הַמְסוּבָּל בְּבָשָׂר וְרָאִין אוֹתוֹ, כֹּל זְמַן שְׁמִתְקַשֶּׁה וְאֵינוֹ נִרְאָה מֵהוּל – צָרִיךְ לְמוֹלוֹ, וְאִם לֹא – אֵינוֹ צָרִיךְ לְמוֹלוֹ.

מֵאֵי בִּינְיָהוּ? אִיכָא בִּינְיָהוּ: נִרְאָה וְאֵינוֹ נִרְאָה.

“מִלּוֹ וְלֹא פָּרַע.” תָּנּוּ רַבִּינָן: הַמֹּל אוֹמֵר: “אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ עַל הַמִּוֶּלֶה.” אָבִי הֵבִין אוֹמֵר: “אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ לְהַכְנִיסוֹ בְּבְרִיתוֹ שֶׁל אַבְרָהָם אֲבִינוּ.” הַעוֹמְדִים אוֹמְרִים: “כִּשְׁם שְׁנֵכֶם לְבְרִית כֶּךָ יִכְנֶס לַתּוֹרָה לְחֻפָּה וּלְמַעֲשִׂים טוֹבִים.”

וְהַמְבָּרֵךְ אוֹמֵר: “אֲשֶׁר קִידֵּשׁ יְדִיד מִבֶּטֶן, חוֹק בְּשָׂרוֹ שֶׁם, וְצִוָּצִי חֶתֶם בְּאוֹת בְּרִית קִדְּשׁ. עַל כֵּן בְּשִׁכְרָא זֹאת, אֵל הִי חֲלָקָנוּ, צֹוֶה לְהַצִּיל יְדִידוֹת שְׂאֵרֵינוּ מִשְׁחַת, לְמַעַן בְּרִיתוֹ אֲשֶׁר שֶׁם בְּבָשָׂרֵנוּ בְּיוֹד אֲתָה ה’ בּוֹרֵת הַבְּרִית.”

הַמֹּל אֶת הַגֵּרִים אוֹמֵר: “בְּיוֹד אֲתָה ה’ אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ עַל הַמִּוֶּלֶה.” וְהַמְבָּרֵךְ אוֹמֵר “אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ לְמוֹל אֶת הַגֵּרִים וְלִהְיוֹת מֵהֶם דָּם בְּרִית, שְׂאִילְמָלָא דָם בְּרִית לֹא נִתְקַיְּמוּ שְׁמִים וְאַרְץ שְׂנֵאֵמַר “אִם לֹא בְרִית יוֹמֵם וְלַיְלָה חוֹקוֹת שְׁמִים וְאַרְץ לֹא שְׁמִית” בְּיוֹד אֲתָה ה’ בּוֹרֵת הַבְּרִית.”

הַמֹּל אֶת הָעֲבָדִים אוֹמֵר: “אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ עַל הַמִּוֶּלֶה,” וְהַמְבָּרֵךְ אוֹמֵר “אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ לְמוֹל אֶת הָעֲבָדִים וְלִהְיוֹת מֵהֶם דָּם בְּרִית שְׂאִילְמָלָא דָם בְּרִית חוֹקוֹת שְׁמִים וְאַרְץ לֹא נִתְקַיְּמוּ, שְׂנֵאֵמַר “אִם לֹא בְרִית יוֹמֵם וְלַיְלָה חוֹקוֹת שְׁמִים וְאַרְץ לֹא שְׁמִית” בְּיוֹד אֲתָה ה’ בּוֹרֵת הַבְּרִית.”

הַדְּרָךְ עַל־רֵבִי אֱלִיעֶזֶר דְּמִילָה

We learned in the mishna: If the baby was fleshy, the circumcisor corrects the circumcision so that it will not appear uncircumcised. Shmuel said: A child who is encumbered with flesh, one examines him, and as long as when his limb hardens he looks circumcised, one need not circumcise him again. And if not, meaning he does not appear circumcised even then, one must circumcise him again.

It was taught in a *baraita* that Rabban Shimon ben Gamliel says: A child who is encumbered with flesh, one examines him, and as long as when it hardens it does not appear circumcised, one needs to circumcise him again, and if not, one need not circumcise him again.

The Gemara asks: What is the practical difference between these two formulations? The Gemara answers: There is a practical difference between them in a case where he appears circumcised but does not appear fully circumcised.^N According to Shmuel, in order to avoid an additional circumcision, one must appear fully circumcised, and this state is insufficient. According to Rabban Shimon ben Gamliel, only one who appears uncircumcised requires further circumcision; this partial circumcision is adequate.

We learned in the mishna: If he circumcised a child but did not uncover the area of the circumcision, it is as if he did not circumcise him. The Sages taught in a *Tosefta* that one who circumcises a child recites: Who has made us holy through His commandments, and commanded us concerning circumcision. The father of the circumcised child recites: Who has made us holy through His commandments, and commanded us to bring him into the covenant of Abraham, our father. Those standing there recite: Just as he has entered into the covenant, so may he enter into Torah, marriage, and good deeds.

And the one who recites the additional blessing says:^N Who made the beloved one holy from the womb,^N marked the decree in his flesh, and gave his descendants the seal and the sign of the holy covenant. Therefore, as a reward for this, the living God, our Portion, commanded to deliver the beloved of our flesh from destruction, for the sake of His covenant that He set in our flesh. Blessed are You, Lord, Who establishes the covenant.^H

One who circumcises converts^H says: Blessed are You, Lord, our God, King of the universe, Who made us holy with His commandments, and commanded us concerning circumcision. And the one who recites the additional blessing recites: Who has made us holy with His commandments, and commanded us to circumcise converts, and to drip from them covenantal blood,^N as were it not for the blood of the covenant, the heaven and earth would not be sustained, as it is stated: “If My covenant would not be with day and night, the ordinances of heaven and earth I would not have placed” (Jeremiah 33:25), which is interpreted to mean that were it not for the covenant of circumcision that is manifest both day and night, the world would cease to exist. He concludes the blessing with the phrase: Blessed are You, Lord, Who establishes the covenant.

When a Jew buys a Canaanite slave, he is obligated to circumcise the slave,^H as the slave is partially entering the covenant of the Jewish people. One who circumcises slaves recites a blessing similar to those mentioned above: Who made us holy with His commandments, and commanded us to circumcise slaves, and to drip from them covenantal blood, as were it not for the blood of the covenant the heaven and earth would not be sustained, as it is stated: “If My covenant would not be with day and night, the ordinances of heaven and earth I would not have placed” (Jeremiah 33:25). Blessed are You, Lord, Who establishes the covenant.

Summary of Perek XIX

This chapter thoroughly examined all topics related to circumcision on Shabbat or a festival. Most of the remaining laws of circumcision are discussed in tractate *Yevamot*.

The Sages established that only the mitzvot of circumcision and the concomitant obligatory sacrifices override Shabbat. They also decided that only the mitzva of circumcision itself overrides Shabbat, whereas preparations and acts that facilitate its performance do not, even if this means that the circumcision will have to be delayed to another day. Similarly, they determined that circumcision must be delayed until after Shabbat in any case of doubt, such as uncertainty as to the baby's gender or as to whether the baby was born during the day or at night. A different kind of uncertainty arises in the unusual case of one who is born circumcised; the Sages agreed that drawing a drop of blood is part of the mitzva of circumcision and it therefore overrides Shabbat.

In contrast to the limitations regarding the circumstances in which circumcision overrides Shabbat, we also saw in this chapter how broadly circumcision overrides Shabbat once it is permitted. First, the *mohel* may perform the mitzva with all its components, and he is not limited to those components which are absolutely essential for fulfilling the mitzva by Torah law. Furthermore, even if a person intended to fulfill the mitzva of circumcision on Shabbat, and he unwittingly performed a prohibited labor without ultimately fulfilling the mitzva, he is not treated as others who unwittingly transgress. He is considered a person who unwittingly transgressed due to preoccupation with a mitzva, and he is therefore exempt from the punishments which generally apply to others who unwittingly transgress on Shabbat.

Introduction to **Perek XX**

This chapter addresses a variety of issues related to rabbinical prohibitions on food preparation on Shabbat: Is it permitted to suspend a wine strainer on Shabbat, what food may one strain and how may he do it, and other questions related to food preparation for humans as well as the handling of hay and other types of animal feed. The chapter clarifies the various details of the prohibited labors that may be relevant to these activities. However, this connection is merely external and associative and explains only the reason why these different topics have been combined in one chapter. On the other hand, this chapter, as those that precede and follow it, addresses a range of fundamental halakhic problems.

One of these problems addressed here is a continuation of the laws of building on Shabbat. Chapter Twelve was devoted to the laws of building a permanent structure, which is prohibited by Torah law. This chapter, on the other hand, discusses additional aspects of the labor of building, based upon an expanded definition of the labor that includes erecting a tent. This broadened definition includes the construction of any building or even the combination of different parts into any whole which could in any way be considered a structure. The construction of a tent can also mean combining parts of utensils or even attaching different fabrics together.

Another topic addressed in this chapter is food preparation. The Torah forbade performing any of the prohibited labors on Shabbat even for the purpose of food preparation. This chapter examines at length various methods of food preparation to determine if they are permitted or if they constitute a violation of Torah law or rabbinic law, and establishes guidelines and boundaries for making these determinations.

מתני' רבי אליעזר אומר: תולין את המשמרת ביום טוב, ונותנין לתלויה בשבת. וחכמים אומרים: אין תולין את המשמרת ביום טוב, ואין נותנין לתלויה בשבת, אבל נותנין לתלויה ביום טוב.

גמ' השתא רבי אליעזר, אוספי אהל עראי לא מוספינן, למיעבד לכתחלה שרי?

מאי היא – דתנן, פקק החלון, רבי אליעזר אומר: בזמן שקשור ותלוי – פוקקין בו, ואם לאו – אין פוקקין בו. וחכמים אומרים: בין כך ובין כך – פוקקין בו.

ואמר רבה בר בר חנה אמר רבי יוחנן: הכל מודים שאין עושין אהל עראי בתחלה ביום טוב, ואין צריך לומר בשבת. לא נחלקו אלא להוסיף, שרבי אליעזר אומר: אין מוספינן ביום טוב, ואין צריך לומר בשבת. וחכמים אומרים: מוספינן בשבת, ואין צריך לומר ביום טוב.

רבי אליעזר סבר לה ברבי יהודה, דתנא: אין בין יום טוב לשבת אלא אוכל נפש בלבד, רבי יהודה מתיר אף מכשירי אוכל נפש.

אימר דשמעין ליה לרבי יהודה – במכשירין שאי אפשר לעשותם מערב יום טוב, במכשירין שאפשר לעשותם מערב יום טוב מי שמעת ליה?

דרבי אליעזר עדיפא מדרבי יהודה.

"וחכמים אומרים": איבעיא להו: תלה מאי? אמר רב יוסף: תלה – חייב חטאת.

MISHNA Rabbi Eliezer says: One may suspend and stretch over a base the strainer⁸ through which sediment is filtered from wine, on a Festival. And one may place wine through a strainer that was already suspended the day before; however, one may not suspend the strainer on Shabbat. And the Rabbis say: One may not suspend the strainer on a Festival, and one may not place wine for filtering through a suspended strainer on Shabbat; however, one may place wine through a suspended strainer^{NH} on a Festival.

GEMARA The Gemara raises a difficulty with regard to Rabbi Eliezer's position: Now, Rabbi Eliezer holds that we may not even add to a temporary tent on Shabbat; could it be that to make a tent is permitted *ab initio*? Stretching a strainer over a base, which Rabbi Eliezer permits, is comparable to making a tent.

The Gemara explains the question: What is this opinion of Rabbi Eliezer's? As we learned in a mishna: With regard to a window shutter used to cover a skylight, Rabbi Eliezer says: When it is tied to and hanging from the window, i.e., it is not touching the ground, one may shutter the window with it, and if not, one may not shutter the window with it. And the Rabbis say: Both in this case and in that case one may shutter with it.

And Rabba bar bar Hana said that Rabbi Yohanan said: Everyone agrees that one may not construct a temporary tent on a Festival for the first time, and needless to say, one may not do so on Shabbat. The *tanna'im* disagree only with regard to adding to an existing tent, as Rabbi Eliezer says: One may not add to an existing structure on a Festival, and needless to say, one may not do so on Shabbat. And the Rabbis say: One may add to the temporary structure on Shabbat, and needless to say, one may do so on a Festival.

The Gemara answers: Rabbi Eliezer indeed holds that the suspension of a strainer constitutes a prohibited labor. However, Rabbi Eliezer holds in accordance with the opinion of Rabbi Yehuda with regard to actions that facilitate preparation of food on a Festival, as it was taught in a *baraita*: The only difference between a Festival and Shabbat is with regard to the preparation of food alone. It is permitted to perform labors for the purpose of food preparation on a Festival, but not on Shabbat. Rabbi Yehuda permits even actions that facilitate food preparation on a Festival, e.g., fixing utensils with which food is prepared on the Festival. Similarly, Rabbi Eliezer permits the suspension of a strainer, which would otherwise constitute a prohibited labor, in order to prepare wine for use on the Festival.

The Gemara asks: Say that we heard that Rabbi Yehuda permits labors that are otherwise prohibited if they pertain to actions that facilitate food preparation that cannot be performed on the eve of the Festival; however, with regard to actions that facilitate food preparation that can be performed on the eve of the Festival, did you hear that he permits doing so?

The Gemara answers: The leniency of Rabbi Eliezer exceeds that of Rabbi Yehuda. Unlike Rabbi Yehuda, Rabbi Eliezer does not distinguish between actions that facilitate food preparation that can and those that cannot be performed on the eve of the Festival.

We learned in the mishna: And the Rabbis say: One may not suspend the strainer on a Festival. A dilemma was raised before the Sages: If he suspended a strainer unwittingly, what is the *halakha*? Rav Yosef said: If he suspended it, he is liable to bring a sin-offering, like anyone who unwittingly performs a labor prohibited by Torah law on Shabbat.

BACKGROUND

Strainer – משמרת In talmudic times, a strainer consisted of a rim with a handle above it. Straining was accomplished by fabric that was stretched over the rim of the container and tied at the bottom.



Strainer used in talmudic times

NOTES

תלית משמרת – In the Jerusalem Talmud it is stated that if a new strainer is suspended, one is also liable for completing production of a vessel, since he renders it fit for use.

HALAKHA

תלית משמרת – In the Jerusalem Talmud it is stated that if a new strainer is stretched over a base in order to filter sediment from wine. One who does so performs the prohibited labor of making a tent. On Shabbat, it is also prohibited to place wine with sediment into a strainer that was suspended before Shabbat. However, it is permitted to do so on a Festival, in accordance with the opinion of the Rabbis (*Shulhan Arukh, Orah Hayyim* 315:9, 319:9, 510:4).

אָמַר לִיה אַבֵּי: אֵלָא מַעֲתָה, תְּלָא
בְּזוּא בְּסִיכְתָּא הָכִי נָמִי דְּמִיחִיב?

Abaye said to him: But if that is so, that an action of that sort constitutes performance of the prohibited labor of building by Torah law, then if one suspended a jug on a peg, is he also liable for building a tent?

Perek XX
Daf 138 Amud a

LANGUAGE

Teraskal chair – כֶּסֶּא טְרַסְקָל: From the Greek τρισκελής, *triskeles*, meaning a three-legged chair. *Teraskal* has a different meaning here than it does in other places in the Talmud.

BACKGROUND

Toilet – אֶסְלָא: The toilet was typically a metal frame over which they would stretch out a leather hide with a hole.



Stone toilets from the talmudic period

אֵלָא אָמַר אַבֵּי: מִדְּרַבֵּנָּה הִיא, שְׁלֵא
יַעֲשֶׂה בְּדֶרֶךְ שֶׁהוּא עוֹשֶׂה בְּחוּל.

Rather, Abaye said: It is a rabbinic decree issued so that one will not conduct himself on Shabbat in the manner that he conducts himself during the week.^N

מִנְקִיט אַבֵּי חוּמְרֵי מִתְּנִיתָא, וְתַנִּי:
הַגּוֹד וְהַמְשַׁמֶּרֶת כִּי לָהּ וְכֵסֶא גָלִין –
לֹא יַעֲשֶׂה, וְאִם עָשָׂה – פְּטוֹר אָבֵל
אֶסּוֹר. אֲהֵלִי קִבַּע – לֹא יַעֲשֶׂה, וְאִם
עָשָׂה – חַיִּיב חֲטָאֵת. אָבֵל מִטָּה
וְכֵסֶא טְרַסְקָל וְאֶסְלָא – מוֹתֵר לְנִטּוֹתָן
לְכַתְחִילָהּ.

Abaye would consolidate the principles of the *baraitot* pertaining to the construction of a tent on Shabbat and teach: With regard to a large wineskin, a wine strainer,^H a canopy hung over a bed, and a folding chair whose cover is detached from its legs, one may not assemble them due to the prohibition against making a temporary tent. If one did so unwittingly, he is exempt by Torah law from bringing a sin-offering, but it is prohibited by rabbinic decree. With regard to permanent tents,^H one may not make them, and if he did so, he is liable to bring a sin-offering for performing the prohibited labor of building. However, with regard to a bed, and a folding chair [*teraskal*]^U whose cover is attached to its legs, and a collapsible toilet,^B it is permissible to open them *ab initio*, since they are prepared for use from before Shabbat.

”וְאִין נֹתְנִין לְתַלְוִיָּה בְּשַׁבָּת.”
אִיבְעִיָּא לָהּ: שִׁימֹר מָאִי? אָמַר רַב
בְּהֵנָּא: שִׁימֹר – חַיִּיב חֲטָאֵת.

We also learned in the mishna: One may not place wine for filtering even into a suspended strainer on Shabbat. A dilemma was raised before the Sages: If one strained wine, what is the *halakha*? Rav Kahana said: If one strained wine, he is liable to bring a sin-offering.

מִתְקִיף לָהּ רַב שֵׁשֶׁת: מִי אֵיכָא מִיָּדִי
דְּרַבֵּנָּה מְחִיבֵי חֲטָאֵת, וְרַבִּי אֱלִיעֶזֶר
שָׂרִי לְכַתְחִילָהּ?

Rav Sheshet strongly objects to this: Is there something for which the Rabbis render one liable to bring a sin-offering^N and Rabbi Eliezer permits its performance *ab initio*? Extreme differences of opinion of that kind are rarely found in one mishna.

מִתְקִיף לָהּ רַב יוֹסֵף: אֵלָמָּה לָּא?
הָרִי עוֹר שֶׁל זָהָב, דְּרַבִּי מֵאִיר מְחִיב
חֲטָאֵת וְרַבִּי אֱלִיעֶזֶר שָׂרִי לְכַתְחִילָהּ!

Rav Yosef strongly objects to this question: Why not? Isn't there an analogous dispute with regard to a woman who wears a city of gold ornament from one domain to another on Shabbat, as Rabbi Meir renders her liable to bring a sin-offering, and Rabbi Eliezer permits it even *ab initio*?

NOTES

That one will not conduct himself on Shabbat in the manner that he conducts himself during the week – יַעֲשֶׂה בְּדֶרֶךְ שֶׁהוּא עוֹשֶׂה בְּחוּל: According to the Ramban, Abaye rules that suspending a strainer violates the rabbinic prohibition against constructing a tent. It is permitted to do so for pomegranates (139b, p. 322), because the strainer need not be firmly suspended for the pomegranates. Since the strainer is suspended in an atypical manner, the rabbinic decree was not issued for that case. Rabbeinu Yona explains that a tent is defined as anything constructed to cover the space beneath it. When one places pomegranates on a strainer, he does not utilize the space underneath the fabric. Therefore, the strainer does not function as a tent at all.

Is there something for which the Rabbis render one liable to bring a sin-offering, etc. – מִי אֵיכָא מִיָּדִי דְּרַבֵּנָּה מְחִיבֵי חֲטָאֵת וכו': This question stems from the Talmud's objective throughout to minimize the scope of disputes. It is difficult to assume that one Sage would render one liable by Torah law while the other would rule the act entirely permitted. In cases like that, the position of one of the disputants is usually emended in order to render the opinions more compatible. Other commentaries explain that this type of question arises only in cases where the Rabbis rule one liable and an individual Sage disagrees with them and rules one entirely exempt. In other cases, the Gemara is not troubled by disputes of this kind (Rashba).

HALAKHA

A large wineskin, a wine strainer, etc. – הַגּוֹד וְהַמְשַׁמֶּרֶת וכו': It is prohibited to suspend a canopy, a strainer, and the like in their usual manner on Shabbat. Rather, one should spread them in an unusual manner. For instance, one should first attach the upper section and only then attach the lower section. One who suspended a canopy in its usual manner is exempt from bringing a sin-offering; however, it is prohibited by rabbinic law. This ruling is in accordance with the opinion of Abaye (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:17, 22:28; *Shulhan Arukh*, *Orah Hayyim* 315:3).

Permanent tent on Shabbat is liable to bring a sin-offering for having performed the prohibited labor of building. A temporary tent is prohibited by rabbinic decree, in accordance with the opinion of Abaye (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:27).

Folding beds and chairs – מִטּוֹת וּכְסֵאוֹת מִתְקַפְּלִים: It is permitted to open folding beds and chairs on Shabbat *ab initio* because they were already attached and completed entities before Shabbat. This ruling is in accordance with the opinion of Abaye (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:28; *Shulhan Arukh*, *Orah Hayyim* 315:5).

Permanent tents – אֲהֵלִי קִבַּע: One who establishes a perma-

For the category of selecting...for the category of sifting – **משום בורר...משום מרקד** – Rashi, along with other commentaries, explains that these two opinions are not mutually exclusive. Rather, both Sages agree that if one was forewarned against straining lest he perform the other category of labor, the warning is valid (Rambam). Other commentaries assert that these opinions indeed differ. According to Rabba, if one who was warned not to sift failed to heed the warning and strained, he is exempt from punishment because he may have not taken the warning seriously, due to the disparity between the warning and his action (*Tosafot*). In the Jerusalem Talmud, both of these opinions are rejected. The opinion of Rav Sheshet, that there is a separate, rabbinic prohibition applicable to straining, is adopted.

Doubled cloak – טלית כפולה – Some of the *ge'onim* and the Rosh explain that this is a cloak suspended in a corner between two walls to provide cover so one can sleep.

Rav's answers to Rav Kahana – תשובות רב לרב כהנא – This series of questions and answers seems quite unusual. See *Tosafot*, who explain it. *Tosafot* elsewhere explain that these three questions were not asked at the same time. Rather, each was posed on a different occasion, in reference to a different case.

HALAKHA

Doubled cloak – טלית כפולה – On Shabbat, it is permitted to spread a cloak that was folded, placed on a pole, or suspended on strings before Shabbat, in accordance with the opinion of Rami bar Yehzkel, as explained by the Rif (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:29; *Shulhan Arukh*, *Orah Hayyim* 315:10).

BACKGROUND

Carmanians – קרמנאי – The Carmanians were the inhabitants of the province of Carmania, northeast of Persia. The ancient name of the province, Carmania, remains in use even today, as it is now known as the Kerman province of Iran (*ge'onim*; *Arukh*).

מאי היא – דתנאי: לא תצא אשה בעיר של זהב, ואם יצאה – חייבת חטאת, דברי רבי מאיר. וחכמים אומרים: לא תצא, ואם יצאה – פטורה. רבי אליעזר אומר: יוצאה אשה בעיר של זהב לכתחילה.

אמר ליה אבוי: מי סברת רבי אליעזר אדרבי מאיר קאי, דאמר "חייבת חטאת"? אדרבנן קאי, דאמרי "פטור אבל אסור", ואמר להו איהו: מותר לכתחילה.

משום מאי מתרינן ביה? רבה אמר: משום בורר, רבי זירא אמר: משום מרקד.

אמר רבה: בנותי ידי מסתברא, מה דרכו של בורר – נוטל אוכל ומניח הפסולת, אף הכא נמי – נוטל את האוכל ומניח את הפסולת.

אמר רבי זירא: בנותי ידי מסתברא, מה דרכו של מרקד – פסולת מלמעלה ואוכל מלמטה, אף הכא נמי – פסולת מלמעלה ואוכל מלמטה.

תני רמי בר יחזקאל: טלית כפולה – לא יעשה, ואם עשה – פטור אבל אסור. הנה כרוך עליה חוט או משיחה – מותר לנטותה לכתחילה.

בעא מיניה רב כהנא מרב: כילה מהו? אמר ליה: אף מטה אסורה. מטה מהו? אמר ליה: אף כילה מותרת. כילה ומטה מהו? אמר ליה: כילה אסורה, ומטה מותרת.

ולא קשיא; הא – דקאמר "אף מטה אסורה" – בדקמנאי, הא דקאמר ליה "אף כילה מותרת" – בדדמי בר יחזקאל. "כילה אסורה ומטה מותרת" – בדדין.

What is that dispute? As it was taught in a *baraita*: A woman may not go out into the public domain on Shabbat with a city of gold ornament. And if she did go out with it into the public domain, she is liable to bring a sin-offering; this is the statement of Rabbi Meir. And the Rabbis say: She may not go out with it *ab initio*, and if she went out, she is exempt. And Rabbi Eliezer says: A woman may go out with a city of gold ornament *ab initio*. Apparently, there is precedent for a dispute in which one opinion maintains that an action incurs liability to bring a sin-offering, while another opinion rules that it is permitted *ab initio*.

Abaye said to Rav Yosef: Do you hold that Rabbi Eliezer is relating to the statement of Rabbi Meir, who said that she is liable to bring a sin-offering? He is relating to the statement of the Rabbis, who said one is exempt but it is prohibited, and he said to them that he holds that it is permitted *ab initio*. Had there not been the intermediate opinion of the Rabbis, an argument with such extreme opinions would not have been possible.

The Gemara asks: One is liable to bring a sin-offering for straining. Due to performance of what category of prohibited labor do we forewarn him? Rabba said: It is for the category of selecting, as one is selecting the wine from the sediment. Rabbi Zeira said: It is for the category of sifting,^N as straining is similar to sifting flour in a sifter, which is a form of selecting.

Rabba said: According to my opinion, it is reasonable. What is the manner of one who selects? He takes the food and leaves the refuse; here too, when straining wine, one takes the food and leaves the refuse.

Rabbi Zeira said: According to my opinion, that this is not typical selection but rather a specific type of selection, it is reasonable, as what is the manner of sifting? The refuse remains atop the sifter and the food is below. Here too, when straining wine, the refuse remains atop the strainer and the food is below.

Rami bar Yehzkel taught: With regard to a doubled cloak,^{NH} one may not make a covering on Shabbat by taking the cloak and placing it over a rope and extending the two sides in order to form something similar to a canopy beneath which one could lie (*ge'onim*; Rif). And if one made it, he is exempt from bringing a sin-offering by Torah law, but it is prohibited by rabbinic decree. If there was a string or a cord wrapped around it before Shabbat, and the cloak was attached to the string while folded, it is permitted to spread it and stretch it *ab initio*.

On a related issue, Rav Kahana raised a dilemma before Rav: In the case of a canopy, what is the *halakha*? Is it permitted to spread it on Shabbat? He said to him: Even a bed is prohibited. Rav Kahana asked: With regard to a bed, what is the *halakha*? He said to him: Even a canopy is permitted. Rav Kahana again asked: In the case of a bed and a canopy, what is the *halakha*? He said to him: A canopy is prohibited, and a bed is permitted.^N

The Gemara comments: And this is not difficult, as the responses do not in fact contradict one another. Rather, when he said: Even a bed is prohibited, this is referring to folding beds like those of the Carmanians.^B Unfolding them is considered like making a tent. When he said: Even a canopy is permitted, this is referring to spreading the canopy in the manner explained by Rami bar Yehzkel. The canopy was bound by a string from before Shabbat. When he said: A canopy is prohibited, and a bed is permitted, this is referring to beds and canopies like ours, which do not fold. A bed of that kind involves no building. However, spreading canopies is performed in a manner similar to constructing a tent.

NOTES

Curtain – וילון: Some commentaries explain, as Rashi does elsewhere, that a curtain may be spread because it is neither a fixed structure nor an actual tent. Other authorities state that spreading a curtain is not considered building, because the curtain is not intended to serve as a partition. It is spread for privacy (*Me'iri*).

HALAKHA

Curtain – וילון: It is permitted to spread and open a curtain on Shabbat. It does not constitute a tent, as stated by Rav (*Shulḥan Arukh, Oraḥ Ḥayyim* 315:10).

Perek XX

Daf 138 Amud b

NOTES

A bridegroom's canopy – כִּילֵת חֲתָנִים: Some question how is it possible for a canopy to satisfy all the conditions stipulated by Rav Sheshet, son of Rav Idi (*Tosafot*). The variant reading of *Tosafot* and the Rambam omits the statement that inclines of tents are considered tents. Rashi comments that the bridegroom's canopy was not designated for sleeping. Rather, it was a tall, narrow canopy that served decorative purposes. In tractate *Eiruvin*, Rashi explains that the bridegroom's canopy consisted of several small canopies, each of which satisfied the conditions stipulated with regard to a canopy.

HALAKHA

A bridegroom's canopy – כִּילֵת חֲתָנִים: On Shabbat, it is permitted to assemble and dismantle a bridegroom's canopy whose roof is less than a handbreadth wide and that does not reach the width of a handbreadth within three handbreadths of its roof. The reason it is permitted is that it is prepared for use, which the *Magen Avraham* interprets to mean designated for this purpose from before Shabbat. However, if it was not prepared for use, it is prohibited to spread the canopy on Shabbat (Rambam *Sefer Zemanim, Hilkhot Shabbat* 22:30; *Shulḥan Arukh, Oraḥ Ḥayyim* 315:11).

It is prohibited to wear a felt hat – סִיאָנָה אֶסוּר: It is prohibited on Shabbat to wear a hat with a brim that is a handbreadth wide and is firm (*Magen Avraham*), even inside a house, because this act constitutes establishing a tent. The later commentaries discussed at length the hats worn in their times, some of which had brims that were wider than a handbreadth, and they raised several rationales to justify leniency in places where it was customary to wear them (see *Taz*; *Magen Avraham*; *Be'er Heitev*; and others; Rambam *Sefer Zemanim, Hilkhot Shabbat* 22:31; *Shulḥan Arukh, Oraḥ Ḥayyim* 301:40).

אָמַר רַב יוֹסֵף: חֲזוּנָא לְהוּ לְכִילֵי דְבִי רַב הוּנָא דְמֵאֲוֶרְתָּא נִגִּידוּ, וּמִצְפְּרָא חֲבִיטָא רַמְיָא.

אָמַר רַב מְשׁוּם רַבִּי חִיָּיא: וִילּוֹן, מוֹתֵר לְנֻטּוֹתוֹ וּמוֹתֵר לְפֻרְקָו.

וְאָמַר שְׁמוּאֵל מְשׁוּם רַבִּי חִיָּיא:

Rav Yosef said: I saw the canopies of the house of Rav Huna that were spread out in the evening, and in the morning they were cast off and lying on the ground. This indicates that it is permitted to dismantle and spread them on Shabbat.

Rav said in the name of Rabbi Ḥiyya: With regard to a curtain,^{NH} it is permitted to spread it, and it is permitted to dismantle it. Since a curtain has no roof, neither action constitutes establishing a tent.

And Shmuel said in the name of Rabbi Ḥiyya:

כִּילֵת חֲתָנִים מוֹתֵר לְנֻטּוֹתָהּ וּמוֹתֵר לְפֻרְקָהּ.

אָמַר רַב שֵׁשֶׁת בְּרִיהַ דְּרַב אִידִי: לֹא אֶמְרֵן אֱלָא שְׂאִין בְּגִגָּה טַפַּח, אֲבָל יֵשׁ בְּגִגָּה טַפַּח – אֶסְרוּהּ. וְכִי אֵין בְּגִגָּה טַפַּח נִמִּי לֹא אֶמְרֵן אֱלָא שְׂאִין בְּפָחוֹת מִשְׁלֹשָׁה סְמוּךְ לְגִגָּה טַפַּח, אֲבָל יֵשׁ בְּפָחוֹת מִשְׁלֹשָׁה סְמוּךְ לְגִגָּה טַפַּח – אֶסְרוּ. וְלֹא אֶמְרֵן אֱלָא שְׂאִין בְּשִׁיפּוּעָה טַפַּח, אֲבָל יֵשׁ בְּשִׁיפּוּעָה טַפַּח – שְׁפּוּעֵי אֲהֲלִים בְּאֲהֲלִים דְּמוּ. וְלֹא אֶמְרֵן אֱלָא דְּלֹא נִחִית מִפּוּרְיָא טַפַּח, אֲבָל נִחִית מִפּוּרְיָא טַפַּח – אֶסְרוּ.

וְאָמַר רַב שֵׁשֶׁת בְּרִיהַ דְּרַב אִידִי: הָאִי סִיאָנָה שְׂרִי וְהָאִיתְּמַר: סִיאָנָה אֶסְרוּ! לֹא קִשְׁיָא, הָא – דְּאִיתְּ בֵּיה טַפַּח, הָא – דְּלִית בֵּיה טַפַּח.

With regard to a bridegroom's canopy,^{NHB} which has no roof but is entirely sloped, it is permitted to spread it and it is permitted to dismantle it on Shabbat.

Rav Sheshet, son of Rav Idi, said: We only said that it is permitted in a case where its roof is not a handbreadth wide; however, if its roof is a handbreadth wide, it is prohibited. Furthermore, even when its roof is not a handbreadth wide, we only said that it is permitted where there is not the width of a handbreadth within three handbreadths of its roof; however, if it expands to the width of a handbreadth within three handbreadths of its roof, it is prohibited. And we only stated that it is permitted where there is not in its incline the width of a handbreadth; however, if there is in its incline the width of a handbreadth, it is prohibited. This *halakha* is in accordance with the principle that the inclines of tents, even though they are not actual roofs, are considered like tents. And we only said that this canopy is permitted where no part of the canopy descends to a handbreadth below the bed; however, if part of the canopy descends to a handbreadth below the bed, it is prohibited, as the bed itself becomes a roof, and the curtain is considered a wall.

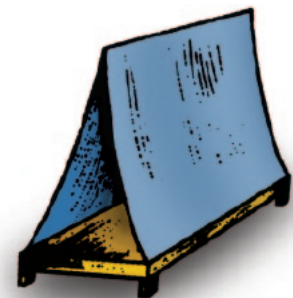
And Rav Sheshet, son of Rav Idi, also said: Wearing this felt hat is permitted on Shabbat, even though it has a wide brim and is similar to a tent. The Gemara raises a difficulty: Wasn't it stated elsewhere that it is prohibited to wear a felt hat^H on Shabbat? The Gemara answers: This is not difficult: This latter statement, which prohibited wearing the hat, is referring to a case where its brim has the width of a handbreadth wide and is similar to a tent. That statement by Rav Sheshet, which permits wearing the hat, is referring to a case where its brim does not have the width of a handbreadth.

BACKGROUND

A bridegroom's canopy – כִּילֵת חֲתָנִים:



Bridegroom's canopy with several small inclines at the top, each less than a handbreadth, in accordance with Rashi's version of the text and explanation



Narrow and tall bridegroom's canopy suspended on a single pole and positioned over the middle of a bed, in accordance with the opinion of *Tosafot* and the accepted halakhic ruling

מִיָּהֲדָק... דָּלָא מִיָּהֲדָק – Fitted firmly...not fitted firmly – Rashi adds that fitted firmly means tied with a strap underneath one's chin. The opinion of Rabbeinu Hananel is cited in *Tosafot*. He explains this differently. In his opinion, the first opinion is not rejected, and the felt hat is prohibited because of establishing a tent. There is a distinction between a hat that is firm, and is therefore, contrary to Rashi's interpretation, prohibited because the brim does not bend and appears to be a tent, and a hat that is not firm. The Rashba asserts that the phrase: Rather, it is not difficult, is problematic according to this approach. However, from Rabbeinu Tam's explanation, it is apparent that, according to this approach, the word rather does not appear in the talmudic text.

By two people – בְּשֵׁנֵי בְנֵי אָדָם – Rabbeinu Yona explains that tying a wineskin is prohibited when it is performed by one person because he ties it very slowly, in a manner similar to building. On the other hand, when two people tie the wineskin in place together, the act is accomplished immediately. This is permitted because it is not similar to building, which is generally not accomplished all at once. Therefore, a canopy, which cannot be immediately set in place even with the aid of several people, may not be spread even by ten people.

The Torah is destined to be forgotten from the Jewish people – עֵתִידָהּ תּוֹרָה שֶׁתִּשְׁכַּח מִיִּשְׂרָאֵל – Some commentaries explain Rav's statement as follows: The Torah is destined to be forgotten if the Oral Law is transmitted by word of mouth, rather than being written down. Therefore, it is imperative to commit the Oral Law to writing to prevent it from being forgotten (*Korban Netanel*).

דְּבַר – The word of the Lord; that is the end of days – **הִי הָיָה הַקֶּץ** See Rashi and *Tosafot*. Since "It is the honor of God to conceal a matter [*haster davar*]" (Proverbs 25:2), and the end of days is known to God alone and no one else, this statement should be interpreted to mean that the word of God [*devar Hashem*], i.e., that which is uniquely His, is referring to the end of days (*lyei HaYam; Ein Ya'akov*).

HALAKHA

מִיָּהֲדָק... דָּלָא מִיָּהֲדָק – Fitted firmly...not fitted firmly – It is inappropriate to leave one's home on Shabbat wearing a hat for protection against the sun, due to the concern lest the wind lift it off his head and he come to carry it in the public domain. If the hat is firmly fitted on his head, it is permitted (*Shulhan Arukh, Orah Hayyim* 301:41).

A large wineskin by its straps...a canopy, etc. – גוֹד – בְּכִסְנָא... וְכִילָה וְכוּ' – When opening a curtain, one must make certain not to spread it like a tent. A large drapery must be opened by at least two people. A canopy with a roof may not be stretched on Shabbat, even by several people working together, because it will inevitably become a temporary tent for at least a brief period, as per the opinion of Rav and Abaye as explained by the Rambam (*Rambam Sefer Zemanim, Hilkhos Shabbat* 22:32; *Shulhan Arukh, Orah Hayyim* 315:12).

כִּירָה שֶׁנִּשְׁמָטָה אֶתָּה – אֶתָּה מִיָּהֲדָק – It is prohibited to carry a stove, a stool, or the like if one of its legs has fallen off, due to the concern lest one reattach the missing leg and thereby transgress the prohibition against building or completing a vessel. This ruling is in accordance with the opinion of Rav (*Rambam Sefer Zemanim, Hilkhos Shabbat* 26:6; *Shulhan Arukh, Orah Hayyim* 308:16).

אֵלָּא מֵעֵתָּה, שְׂרָבִיב בְּגִלְמָא טַפַּח הָכִי נָמִי דְּמִיָּהֲדָק? אֵלָּא לֹא קִשְׁיָא, הָא – דְּמִיָּהֲדָק, הָא – דְּלֹא מִיָּהֲדָק.

שִׁלַּח לִיהִי רָמִי בְּרִי יִחוּקָא לְרַב הוּנָא: אֵימָא לָן אֵיזִי הֵנָּךְ מִלִּי מַעֲלִייתָא דְּאַמְרַתְּ לָן מִשְׁמִיָּה דְּרַב, תְּרַמִּי בְּשַׁבַּת וְחֵדָא בְּתוֹרָה.

שִׁלַּח לִיהִי: הָא דְּתַנֵּינָא "גוֹד בְּכִסְנָא מוֹתָר לְנִטְוֵתָה בְּשַׁבַּת" אָמַר רַב: לֹא שָׁנוּ אֵלָּא בְּשֵׁנֵי בְנֵי אָדָם, אֲבָל בְּאָדָם אֶחָד – אָסוּר.

אָמַר אֲבִי: וְכִילָה, אֲפִילוּ בְּעֶשְׂרָה בְנֵי אָדָם – אָסוּר, אִי אֲפִשְׁרָ דְּלֹא מִמַּתְחָא פּוֹרְתָא.

אֵיךְ מָאִי הִיא – דְּתַנֵּינָא "כִּירָה שֶׁנִּשְׁמָטָה אֶתָּה מִיָּהֲדָק" – מוֹתָר לְטַלְטְלָהּ, שְׁתִּים – אָסוּר." רַב אָמַר: אֲפִילוּ חֵד נָמִי אָסוּר, גּוֹיָרָה שְׁמָא יִתְקַע.

תּוֹרָה, דְּאָמַר רַב: עֵתִידָהּ תּוֹרָה שֶׁתִּשְׁכַּח מִיִּשְׂרָאֵל, שְׁנָאמַר "וְהִפְלֵא ה' אֶת מִכְתָּבךָ", הִפְלָאָה זֶה אֵינִי יוֹדֵעַ מֵהוּ, בְּשָׂהוּא אֹמֵר "לָכֵן הִנְנִי יוֹסִיף לְהַפְלִיא אֶת הָעָם הַזֶּה הִפְלֵא וְפָלָא" הוּא אֹמֵר: הִפְלָאָה זֶה תּוֹרָה.

תָּנוּ רַבָּנִי: כְּשֶׁנִּכְנְסוּ רַבּוֹתֵינוּ לְכָרֶם בִּיבְנָה אָמְרוּ: עֵתִידָהּ תּוֹרָה שֶׁתִּשְׁכַּח מִיִּשְׂרָאֵל, שְׁנָאמַר "הִנֵּה יָמִים בָּאִים נָאִם ה' אֱלֹהִים וְהִשְׁלַחְתִּי רָעָב בָּאָרֶץ לֹא רָעָב לֶחֶם וְלֹא צָמָא לָמִים כִּי אִם לִשְׁמוֹעַ אֶת דְּבָרִי ה'" וְכָתִיב "וְנָעוּ מִיָּם עַד יָם וּמִצָּפוֹן וְעַד מִזְרָח יִשְׁוֹטְטוּ לְבַקֵּשׁ אֶת דְּבַר ה' וְלֹא יִמְצְאוּ".

"דְּבַר ה'" – זֶה הַלְכָּה, "דְּבַר ה'" – זֶה הַקֶּץ, "דְּבַר ה'" – זֶה נְבוּאָה.

The Gemara asks: But if that is so, if one extended his cloak a handbreadth beyond his head, would you also say that he is liable for making a tent? Rather, this is not difficult. The reason the hat is prohibited is not due to making a tent, but due to concern that the wind might blow the cap off one's head and he will come to carry it by hand. The conflicting statements can be resolved as follows: This statement of Rav Sheshet, which permits wearing the hat, is referring to a case where it is fitted firmly on his head. That statement, which prohibits wearing the hat, is referring to a case where it is not fitted firmly.^{NH}

Rami bar Yehezkel sent to Rav Huna: Say to us, please, those excellent statements that you said to us in the name of Rav, two with regard to the *halakhot* of Shabbat, and one with regard to the Torah.

Rav Huna sent to him in response: With regard to that which was taught in a *baraita*: It is permitted to spread a large wineskin and suspend it by its straps on Shabbat, Rav said: They only taught that it is permitted if it is performed by two people^N together. They do not stretch the wineskin like a tent; rather, they place it without stretching it. However, it is prohibited for one person to do so by himself, due to the concern that he may establish a tent of sorts.

Abaye said: And it is prohibited to spread a canopy^H on Shabbat even with ten people. The reason for this is that it is impossible that it will not be stretched a bit for a certain period of time, which would establish a temporary tent.

And the other *halakha* with regard to Shabbat, what is it? As it was taught in a *baraita*: In the case of a stove, one of whose legs fell,^H it is permitted to move it on Shabbat. Since it remains a vessel, it may be moved if it is taking up a space that is needed. However, if two of its legs fell, it is prohibited, since it is then a broken vessel. Rav said: Even if only one leg fell, it is also prohibited to handle it, due to a decree lest one fasten the leg in place forcefully and be liable for preparing a vessel for use.

With regard to Torah, Rav Huna related that Rav said: The Torah is destined to be forgotten from the Jewish people.^N It is stated at the conclusion of the curses in the Torah's reproof: "And the Lord will make your plagues astonishing, and the plagues of your seed, great plagues of long continuance, and evil diseases of long continuance" (Deuteronomy 28:59). This term of *astonishment*, mentioned in the verse in addition to the explicit punishments, I do not know what it is. But when the verse states elsewhere: "Therefore, behold, I will continue to astonish this people with wondrous astonishment, and the wisdom of its wise will be lost, and the understanding of its men of understanding shall be hidden" (Isaiah 29:14), you must say: This *astonishment* is referring to forgetting the Torah.

The Sages taught a similar idea in the *Tosefta*: When our Sages entered the vineyard in Yavne, they said: The Torah is destined to be forgotten from the Jewish people, as it is stated: "Behold, days are approaching, says the Lord God, and I will send forth a hunger in the land, not a hunger for bread and not a thirst for water, but for hearing the words of the Lord" (Amos 8:11). And it states: "And they will drift from sea to sea, and from north to east they will roam to find the word of the Lord, but they will not find it" (Amos 8:12).

"The word of the Lord" in this context bears many meanings. "The word of the Lord"; that is *halakha*. "The word of the Lord"; that is the end of days.^N "The word of the Lord"; that is prophecy. All these will be lost from the Jewish people.

ומאי "ישוטטו לבקש את דבר ה'" – אמרו: עתידה אשה שתטול ככר של תרומה ותחזור בבתי כנסיות ובבתי מדרשות, לידע אם טמאה היא ואם טהורה היא, ואין מבין.

אם טהורה היא ואם טמאה היא?! בהדיא כתיב ביה: "מכל האוכל אשר יאכל!" אלא: לידע אם ראשונה היא ואם שנייה היא. ואין מבין.

הא נמי מתניתין היא, כדתנן: השרץ שנמצא בתנור – הפת שבתוכו שנייה, שהתנור תחילה.

מסתפקא להו הא דאמר ליה רב אדא בר אבהו לרבא: ליחזייה האי תנורא כמאן דמלי טומאה, ותיהוי פת ראשונה!

אמר ליה: לא אמרין ליחזייה האי תנורא כמאן דמלי טומאה. דתניא: יכול יהו כל הכלים מטמאין באויר כלי חרס – תלמוד לומר "כל אשר בתוכו יטמא מכל האוכל אשר יאכל", אוכלין – מטמאין באויר כלי חרס, ואין כלים מטמאין באויר כלי חרס.

תניא. רבי שמעון בן יוחי אומר: חס ושלום שתשתכח תורה מישראל, שנאמר "כי לא תשכח מפיו ורעו". אלא מה אני מקיים "ישוטטו לבקש את דבר ה'" ולא ימצאו – שלא ימצאו

And what is the meaning of: "They will roam to find the word of the Lord, but they will not find it"? They said: It is destined that a woman will take a loaf of *teruma* bread and circulate among the synagogues and study halls to ascertain whether it is ritually impure or whether it is ritually pure, and there will be none who understands.

The Gemara asks: How is it possible that they will be unable to understand whether the loaf is impure or whether it is ritually impure? It is explicitly written in the Torah with regard to this: "All food that is eaten upon which water falls shall contract impurity, and all liquid drunk in any vessel shall contract impurity" (Leviticus 11:34). There can be no doubt as to the question of whether or not the loaf can become impure. Rather, the Gemara explains: The woman seeks to ascertain whether it assumes first-degree ritual impurity status or whether it assumes second-degree ritual impurity status; and there will be none who understands.

The Gemara asks: That too is an explicit mishna, and how is it that none will know an explicit mishna? As we learned in a mishna: If the carcass of a creeping animal was found in the airspace of an oven, the bread inside it assumes second-degree ritual impurity status, as the creeping animal, which is a primary source of impurity, renders the oven impure with first-degree ritual impurity. The oven then renders the bread impure with second-degree ritual impurity.^h

The Gemara responds: They are uncertain with regard to that which Rav Adda bar Ahava said to Rava: Let us view this oven as one filled with impurity, and the bread will then assume first-degree ritual impurity status. In other words, the legal status of food in the airspace of an earthenware vessel that also has the carcass of a creeping animal in its airspace is that of food that came into contact with the creeping animal, even if the food does not come into contact with the carcass of a creeping animal.

He said to him that we do not say: Let us view the oven as one filled with ritual impurity, as it was taught in a *baraita*: One might think that all vessels should become ritually impure in the airspace of an earthenware vessel that has the carcass of a creeping animal in its airspace; therefore, the verse states: "And any earthenware vessel in which any of them falls, all that is in it shall be impure, and you shall break it. All food that is eaten, upon which water comes, shall be impure; and all drink that may be drunk, in any vessel, shall be impure" (Leviticus 11:33–34). The *baraita* learns from the juxtaposition of these verses that foods become ritually impure in the airspace of earthenware vessels, but vessels do not become ritually impure in the airspace of earthenware vessels.^h Apparently, the airspace of an oven is not considered filled with the impurity of the carcass of a creeping animal. If that were the case, even vessels would become ritually impure.

An opposing view was taught in another *baraita*. Rabbi Shimon ben Yohai says: Heaven forbid that the Torah should be forgotten from the Jewish people, as it is stated: "And this song shall answer to him as a witness, for it shall not be forgotten from his seed" (Deuteronomy 31:21). Rather, how do I explain: "They will roam to find the word of God, but they will not find it"? It means that they will not find

HALAKHA

Bread in a ritually impure stove – פת בתנור טמא: If the carcass of a creeping animal fell into the airspace of an oven, the bread inside the oven assumes second-degree ritual impurity status from the oven, which assumed first-degree ritual impurity status from the creeping animal in its airspace (Rambam *Sefer Tahara, Hilkhhot She'ar Avot HaTumot* 11:2).

Foods become ritually impure in the airspace of earthenware

vessels, but vessels do not become ritually impure in the airspace of earthenware vessels – ואין כלים מטמאין באויר כלי חרס: Food and drink in the airspace of an earthenware vessel become ritually impure if the earthenware vessel becomes impure, even if the food and drink did not come into contact with it. However, vessels in the airspace of an earthenware vessel do not become ritually impure (Rambam *Sefer Tahara, Hilkhhot Kelim* 13:2–3).

הלכה ברורה ומשנה ברורה במקום אחד.

תנא, רבי יוסי בן אלישע אומר: אם ראית דור שצרות רבות באות עליו – צא ובדוק בדיני ישראל. שכל פורענות שבאה לעולם לא באה אלא בשביל דיני ישראל, שנאמר "שמעו נא זאת ראשי בית יעקב וקציני בית ישראל המתעבים משפט ואת כל הישרה יעקשו בונה ציון בדמים וירושלים בעולה ראשיה בשוחד ישפטו וכהניה במחיר יורו ונביאיה בכסף יקסומו ועל ה' ישענו וגו'".

רשעים הן, אלא שתלו בטחונם במי שאמר והיה העולם. לפיכך מביא הקדוש ברוך הוא עליהן שלש פורעניות כנגד שלש עבירות שבידם. שנאמר "לכן בגללכם ציון שדה תחרש וירושלים עיני תהיה וחר הבית לבמות יער".

ואין הקדוש ברוך הוא משרה שכנתו על ישראל עד שיכלו שופטים ושוטרים רעים מישראל, שנאמר "אשיבה ידי עליך ואצרוף כבור סגין, ואסירה כל בדיליך ואשיבה שופטיך כבראשונה ויועציך בבתחלה וגו'".

אמר עולא: אין ירושלים נפדה אלא בצדקה, שנאמר "ציון במשפט תפדה ושביה בצדקה".

אמר רב פפא: אי בטלי יהירי – בטלי אמגושי, אי בטלי דיני – בטלי גזירפטי.

אי בטלי יהירי – בטלי אמגושי, דכתיב "ואצרוף כבור סגין".

אי בטלי דיני גזירפטי – דכתיב "הסיר ה' משפטך פנה אויבך".

אמר רבי מלאי משום רבי אלעזר ברבי שמעון: מאי דכתיב "שבר ה' מטה רשעים שבט מושלים" – "שבר ה' מטה רשעים" – אלו הדיינים שנעשו מקל לחונניהם. "שבט מושלים" – אלו תלמידי חכמים שבמשפחות הדיינים. מר זוטרא אמר: אלו תלמידי חכמים שמלמדים הלכות ציבור לדייני בור.

clear *halakha*^N and clear teaching together, but rather there will be disputes among the Sages.

It was taught in a *baraita* that Rabbi Yosei ben Elisha says: If you see a generation that many troubles are befalling it, go and examine the judges of Israel. Perhaps their sins are the cause, as any calamity that comes to the world comes due to the judges of Israel acting corruptly, as it is stated: "Please hear this, heads of the house of Jacob, and officers of the house of Israel, who abhor justice and pervert all equity, who build up Zion with blood, and Jerusalem with iniquity. Their heads they judge for bribes, and their priests teach for hire, and their prophets divine for money; yet they lean upon the Lord, saying: Is not the Lord in our midst? No evil shall befall us" (Micah 3:9–11).

The Gemara comments: They are wicked, but they placed their trust in the One Who spoke and the world came into being,^N the Almighty. Therefore, the Holy One, Blessed be He, brings upon them three calamities corresponding to the three transgressions for which they are responsible, as it is stated in the following verse: "Therefore, because of you, Zion shall be plowed as a field, and Jerusalem shall become heaps, and the Temple Mount as the high places of a forest" (Micah 3:12).

And the Holy One, Blessed be He, will not rest His Divine Presence on the Jewish people until evil judges and officers shall be eliminated from the Jewish people, as it is stated: "And I will turn My hand upon you, and I will purge away your dross as with lye, and I will remove all your alloy. And I will restore your judges as at first, and your counselors as at the beginning; afterward you shall be called the city of righteousness, a faithful city" (Isaiah 1:25–26).

Ulla said: Jerusalem will be redeemed only through righteousness, as it is stated: "Zion will be redeemed with justice and those who return to her with righteousness" (Isaiah 1:27).

Rav Pappa said: If the arrogant will cease to exist, the Persian fire priests will cease to exist as well. If the deceitful judges will cease to exist, the royal officers [*gazirpatei*]^L and taskmasters will cease to exist.

He explains: If the arrogant will cease, the Persian fire priests will cease, as it is written: "And I will purge away your dross [*sigayikh*] as with lye, and I will remove all your alloy [*bedilayikh*]." This teaches that when the conceited and haughty [*sigim*] are purged, the priests of fire, who are separated [*muvdalim*] from the fear of God, will also cease.

He said: If the deceitful judges cease, the royal officers and taskmasters will cease, as it is written: "The Lord has removed your judgment, cast out your enemy" (Zephaniah 3:15).

Rabbi Mallai said in the name of Rabbi Elazar, son of Rabbi Shimon: What is the meaning of that which is written: "The Lord has broken the staff of the wicked, the rod of the rulers" (Isaiah 14:5)? He explains: "The Lord has broken the staff of the wicked"; these are the judges who have become staffs for their attendants. The attendants abuse people, and the judges provide the attendants with legal backing and moral support. "The rod of the rulers"; these are the Torah scholars who are members of the families of the judges. These Torah scholars assist their relatives, the judges, conceal their faults. Mar Zutra said: These are the Torah scholars who teach communal *halakhot* to ignorant judges. They teach ignorant judges just enough Torah and modes of conduct to prevent the people from realizing how ignorant they are, enabling them to maintain their positions.

NOTES

Clear *halakha* – הלכה ברורה: This statement is to be understood as follows: As long as the Great Sanhedrin met in the Chamber of the Hewn Stone in the Temple, every legal discussion concluded with a vote that determined the *halakha*. After the destruction of the Temple, the number of disputes increased (*Tosefot Rid*). Some commentaries emphasize the problem to be that clear *halakha* cannot be found in one place; rather, people will be forced to seek answers in many places, as in each place they will know only a bit.

They placed their trust in the One Who spoke and the world came into being – שיתלו בטחונם: One explanation of the fact that these people are called wicked is because they believed that since God determines the world order and planted the evil inclination within each person, individuals do not bear responsibility for their actions (*Ahavat Eitan*).

LANGUAGE

Royal officers [*gazirpatei*] – גזירפטי: From the Aramaic *gauzir*, meaning official, and the Iranian suffix *pati*, meaning lord. This was the title of a Sasanian functionary.

אמר רבי אליעזר בן מלאי משום ריש לקיש: מאי דכתיב "כי כפיכם נגאלו בדם ואצבעותיכם בעון שפתותיכם דברו שקר לשונכם עולה תהגה".

"כי כפיכם נגאלו בדם" – אלו הדיינים, ואצבעותיכם בעון" – אלו סופרי הדיינים, "שפתותיכם דברו שקר" – אלו עורכי הדיינים, "לשונכם עולה תהגה" – אלו בעלי דינים.

ואמר רבי מלאי משום רבי יצחק מגדלאה: מיום שפירש יוסף מאחיו לא טעם טעם יין, דכתיב "ולקדך נזיר אחיו".

רבי יוסי ברבי חנינא אמר: אף הן לא טעמו טעם יין, דכתיב "וישתו וישכרו עמו" מכלל דעד האידנא לא (הוה שיכרות). ואידך – שיכרות הוא דלא הוה, שתיה מיהא הוה.

ואמר רבי מלאי: בשכר "וראך ושמח בלב" זכה להשן המשפט על לבו.

שלחו ליה בני בשכר ללוי: בילה מהו? בשותא בכרמא מהו? מת ביום טוב מהו?

אדאזיל, נח נפשיה דלוי. אמר שמואל לרב מנשיא: אי חכימת – שלח להו. שלח להו: "בילה" – חורנו על כל צידי בילה ולא מצינו לה צד היתר.

ולישלח להו כדרמי בר יחזקאל? לפי שאינן בני תורה.

Rabbi Eliezer ben Mallai said in the name of Reish Lakish: What is the meaning of that which is written: "For your hands are defiled with blood, and your fingers with iniquity; your lips have spoken lies, your tongue utters wickedness" (Isaiah 59:3)?

He explains: "For your hands are defiled with blood";^N these are the judges who take bribes in their hands. "And your fingers with iniquity"; these are the scribes of the judges, who write falsehood with their fingers. "Your lips have spoken lies"; these are the legal advisors.^N "Your tongue utters wickedness"; these are the litigants themselves.

And Rabbi Mallai said in the name of Rabbi Yitzhak from Migdal: From the day that Joseph took leave from his brothers, he did not sample a taste of wine, as it is written: "They shall be on the head of Joseph, and on the crown of the head of he who was separated [nezir] from his brothers" (Genesis 49:26). The language of the verse alludes to the fact that Joseph conducted himself like a nazirite and abstained from wine.

Rabbi Yosei, son of Rabbi Hanina, said: Joseph's brothers too did not sample the taste of wine during the intervening period, due to their remorse, as it is written: "And they drank and became drunk with him" (Genesis 43:34). By inference: Until now there was no drunkenness, as they abstained from drinking. And the other Sage, Rabbi Mallai, holds: It was drunkenness of which there was none; however, there was drinking on the part of the brothers during the intervening years.

And Rabbi Mallai said: It is stated in the verse: "And the anger of the Lord was kindled against Moses, and He said: Is there not Aaron your brother the Levite, I know that he can surely speak, and also behold, he is coming out to greet you, and he will see you and be glad in his heart" (Exodus 4:14). Rabbi Mallai taught that as reward for Aaron's lack of jealousy at seeing his brother Moses rise to greatness, as it is stated: "And he will see you and be glad in his heart," he merited to become the High Priest, and for the breastplate of judgment to rest on his heart.

The Gemara returns to the laws of a canopy. The inhabitants of the town of Bashkar sent to Levi: What is the halakha with regard to spreading a canopy on Shabbat? Additionally, what is the halakha with regard to hops in a vineyard? Do they constitute a prohibited mixture of diverse kinds? Finally, what is the halakha with regard to one who died on a Festival? How can the people attend to his burial?

As the messenger was going with the question, Levi died. Shmuel said to Rav Menashya: If you are wise and able to respond, send them answers to their questions. He sent them: With regard to a canopy, we reviewed all aspects of the matter of the canopy, and we did not find any permissible aspect.

The Gemara asks: And let him send them that it can be permitted in accordance with the opinion of Rami bar Yehetzkel. The Gemara answers: He did not want to reveal that leniency to them, because they are not well versed in Torah,^N and they would not distinguish between permitted and prohibited methods of spreading the canopy.

NOTES

כפיכם נגאלו בדם – Some explain that the word blood [dam] is referring here to money [damim], implying that the judges' hands were filled with bribes (Maharsha).

עורכי הדיינים – In ancient times, there were no attorneys to prosecute or defend a litigant in rabbinical courts. Rather, each party stated his own case. The legal advisors referred to here were people who acted improperly by teaching

litigants to present advantageous claims. This compromised the legal system, because the parties were supposed to present the facts. The interpretation of these facts and the halakhic conclusions were to be left to the judges. Consequently, these legal advisors were viewed unfavorably.

שאינן בני תורה – This explanation appears in several places in the Talmud. Essentially, it means that anywhere in which there

are no people learned in the Torah, the ruling is stringent with regard to practices that require nuanced understanding of the halakha and the ability to distinguish between permitted practices and similar prohibited ones. Still, the Sages were lenient with regard to those practices in places in which Torah scholars lived, based on the assumption that they would know how to maintain the appropriate halakhic distinctions.

Hops in a vineyard – כִּשּׁוֹת בְּכֶרֶם: Outside Eretz Yisrael, it is permitted to sow hops in a vineyard as per the custom of the three elders (see *Berakhot* 22a, p. 144). It is prohibited to sow wheat, barley, and grape seed or two species of vegetable and grape seed together on the same plot of land. The *halakha* is not in accordance with the stringent position of the Rabbis (Rambam *Sefer Zera'im, Hilkhot Kilayim* 8:13).

He would give a *peruta* to a gentile child, and the child would sow hops for him – **יָהִיב לִיה פְּרוּטָה לְתִינוּק גּוֹי וְזָרַע לֶיהָ:** Outside of Eretz Yisrael, the laws of diverse kinds only apply by rabbinic law. Indeed, one may even have a gentile child sow prohibited mixtures of diverse kinds, e.g., wheat, barley, and grape seed, on his behalf (*Kesef Mishne; Rambam Sefer Zera'im, Hilkhot Kilayim* 8:13).

NOTES

He may come to continue – אָתִי לְמִסְכָּךְ: This issue is discussed by the early commentaries (see *Tosafot*). The Rashba explains that a child may come to continue a practice that he performed as a child on behalf of adults. However, there is no concern that he will continue to perform activities he performs on his own behalf, as he understands that certain activities are permitted to him because he is a minor.

BACKGROUND

The synagogue of the settlement of Maon – בֵּי קִנְיָשְׁתָּא דְּמַעֲוֹן: This is referring to the synagogue of the town of Beit Maon, which was situated very close to Tiberias. Consequently, the heads of its synagogue were able to approach Rabbi Yohanan, who lived in Tiberias, and ask him about the *halakha* of burying the dead.

NOTES

If a person died on...a Festival – מֵת בְּיוֹם טוֹב: Rashi explains that this is referring only to one who died before the Festival and whose body was awaiting burial when the Festival commenced. The *ge'onim* and the Rambam explain that it is referring even to one who died on the Festival itself, because it is improper to delay burying the dead any more than necessary.

HALAKHA

If a person died on the first day of a Festival – מֵת בְּיוֹם טוֹב: If one dies and must be buried on the first day of a Festival, gentiles should engage in the preparation of the grave, the coffin, and the shrouds. If there are no gentiles available, burial is postponed. However, clothing the deceased, warming water for the purification, and removing and placing the deceased in the grave may be performed by Jews on the Festival (Rambam *Sefer Zemanim, Hilkhot Yom Tov* 1:23; *Shulhan Arukh, Oraḥ Hayyim* 526:1).

If a person died on the second day of a Festival – מֵת בְּיוֹם טוֹב: If a person died on the second day of a Festival in the Diaspora, Jews attend to his burial, performing even those preparations prohibited on the first day of the Festival (see previous note). This applies to the second day of Rosh HaShana, in accordance with the opinion of Rava (Rambam *Sefer Zemanim, Hilkhot Yom Tov* 1:23; *Shulhan Arukh, Oraḥ Hayyim* 526:4).

כִּשּׁוֹת בְּכֶרֶם – עִרְבּוּבָא: וְלִישְׁלַח לָהּ כְּדִרְבֵּי טְרָפוֹ? דְּתַנָּא: כִּשּׁוֹת, רַבִּי טְרָפוֹן אָמַר: אֵין כְּלָאִים בְּכֶרֶם, וְחֻכְמִים אָמְרִים: כְּלָאִים בְּכֶרֶם. וְקִיָּמָא לָן: כֹּל הַמִּיָּקֵל בְּאַרְץ – הִלְכָה כְּמוֹתוֹ בְּחוּץ לְאַרְץ! לְפִי שְׂאִינָן בְּנֵי תוֹרָה.

He also told them: **Hops in a vineyard are a forbidden mixture of diverse kinds.** The Gemara asks: **And let him send them the message that it is permitted in accordance with the opinion of Rabbi Tarfon, as it was taught in the Tosefta:** With regard to hops, Rabbi Tarfon says: They do not constitute a prohibited mixture of food crops in a vineyard, and the Rabbis say: They constitute a forbidden mixture of food crops in a vineyard.¹⁴ And we maintain that anyone who is lenient with regard to the *halakhot* of diverse kinds in Eretz Yisrael, even if the *halakha* is not ruled in accordance with his opinion, the *halakha* is ruled in accordance with his opinion outside of Eretz Yisrael, where the *halakhot* of diverse kinds apply only by rabbinic law. The Gemara explains: He did not reveal this leniency to them, because they were not well versed in Torah.

מְכַרְזֵי רַב: הָאֵי מֵאֵן דְּבָעֵי לְמִיזְרַע כִּשּׁוֹת בְּכֶרֶם – לְיִזְרַע. רַב עֲמֶרָם חֲסִידָא מְנַגִּיד עֵילּוּיָהּ.

With regard to the matter of hops in a vineyard, the Gemara relates that **Rav would announce: One who seeks to sow hops in a vineyard, let him sow.** In contrast, **Rav Amram Hasida would administer lashes for sowing hops in a vineyard.**

רַב מִשְׁרָשִׁיא יָהִיב לִיה פְּרוּטָה לְתִינוּק גּוֹי וְזָרַע לֶיהָ. וְלִיתֵן לֶיהָ לְתִינוּק יִשְׂרָאֵל! אָתִי לְמִסְכָּךְ. וְלִיתֵן לֶיהָ לְגִדּוֹל גּוֹי! אָתִי לְאִיחָלוּפֵי בִּישְׂרָאֵל.

The Gemara relates that **Rav Mesharshiya would give a *peruta* to a gentile child, and the child would sow hops for him.**¹⁴ The Gemara asks: **And let him give the *peruta* to a Jewish child, who is also not obligated in mitzva observance.** The Gemara answers: **He may come to continue**¹⁴ this habit and violate the prohibition as an adult. The Gemara asks: **And let him give the *peruta* to an adult gentile.** The Gemara answers: **He may come to confuse him with a Jew.**

”מֵת.” שְׁלַח לָהּ: מֵת לֹא יִתְעַסְקוּ בִּיהָ לֹא יִהְיוּדָאִין וְלֹא אֲרָמֵאִין, לֹא בְּיוֹם טוֹב רִאשׁוֹן וְלֹא בְּיוֹם טוֹב שֵׁנִי.

With regard to a person who died on a Festival, **he sent them in response: If a person died on a Festival, neither Jews nor Arameans, i.e., gentiles, should attend to his burial, neither on the first day of a Festival, nor on the second day of a Festival observed in the Diaspora.**

אֵינִי? וְהָאֵמַר רַבִּי יְהוּדָה בַּר שֵׁילַת אָמַר רַבִּי אֲסִי: עוֹבְדָא הוּא בְּבִי קִנְיָשְׁתָּא דְּמַעֲוֹן בְּיוֹם טוֹב הַסְּמוּךְ לְשַׁבָּת.

The Gemara asks: **Is that so? Didn't Rabbi Yehuda bar Sheilat say that Rabbi Asi said: There was an incident in the synagogue of the settlement of Maon⁸ on a Festival adjacent to Shabbat. A person died,**

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וְלֹא יָדַעְנָא אִי מַלְפָּנֵיהָ אִי מַלְאֲחִירָהּ, וְאֵתוֹ לְקַמֶּיהָ דְּרַבִּי יוֹחָנָן. וְאָמַר לָהּ: יִתְעַסְקוּ בִּיהָ עַמְּמִין.

and I do not know whether the Festival occurred before Shabbat or after Shabbat. **And they came before Rabbi Yohanan, and he said to them: Let gentiles attend to his burial.**

וְאָמַר רַבָּא: מֵת בְּיוֹם טוֹב רִאשׁוֹן – יִתְעַסְקוּ בּוֹ עַמְּמִין, בְּיוֹם טוֹב שֵׁנִי – יִתְעַסְקוּ בּוֹ יִשְׂרָאֵל, וְאִפְּלוֹ בְּיוֹם טוֹב שֵׁנִי שֶׁל רֹאשׁ הַשָּׁנָה, מִה שְׂאִין בֶּן בְּבִיצָה. לְפִי שְׂאִינָן בְּנֵי תוֹרָה.

And likewise, Rava said: **If a person died on the first day of a Festival,¹⁴ gentiles may attend to his burial; on the second day of a Festival¹⁴ observed in the Diaspora, Jews may attend to his burial. And this is the *halakha* even on the second day of the festival of Rosh HaShana, which is not so with regard to an egg.** With regard to an egg laid on the Festival, the two days of Rosh HaShana are considered one long day that cannot be disconnected. Therefore, in contrast to other two-day Festivals in the Diaspora, use of an egg laid on the first day of Rosh HaShana is prohibited on the second day. However, in deference to the dead, the Sages were lenient with regard to burial on the second day of Rosh HaShana. Why then did Rav Menashya prohibit the inhabitants of Bashkar from attending to the burial on a Festival? The Gemara answers: **Because they were not well versed in Torah.**

A person may wrap himself in a canopy – מתעטף: One is permitted to wrap himself in a canopy that has straps attached to it and wear it in the public domain on Shabbat. The straps are insignificant relative to the canopy and are not considered a burden (Rambam *Sefer Zemanim, Hilkhot Shabbat* 19:20; *Shulḥan Arukh, Oraḥ Ḥayyim* 301:39).

One who goes out on Shabbat with a garment that does not have the requisite ritual fringes attached – היוצא בטלית שאינה מצויצת כהלכתה – בשבת: On Shabbat, one who wears a garment into the public domain with ritual fringes that have not been attached properly is liable to bring a sin-offering for carrying a burden. The reason for this ruling is that the fringes are not considered part of the garment because they were not affixed in accordance with *halakha* (Rambam *Sefer Zemanim, Hilkhot Shabbat* 19:20; *Shulḥan Arukh, Oraḥ Ḥayyim* 13:1, 301:38).

A person may employ artifice...by taking a strainer on a Festival and suspending it, etc. – מערים אדם: One may employ artifice and suspend a strainer on a Festival in order to place pomegranates on it and then place wine sediment on it afterward (Rambam *Sefer Zemanim, Hilkhot Yom Tov* 3:17; *Shulḥan Arukh, Oraḥ Ḥayyim* 510:4).

One may begin brewing beer on the intermediate days of a Festival for the purpose of using it on the Festival – מטיילין שָׂכר במועד לצורך המועד: Although certain labors are prohibited on the intermediate days of a Festival, it is nonetheless permitted to start brewing beer for the purpose of using it on the Festival. If one brews beer for use on the Festival, one need not limit production to the precise amount needed. However, one should employ artifice *ab initio*. If the newly brewed beer is higher quality than one's old beer, one may employ artifice *ab initio*, as per the conclusion of the Gemara in *Moed Katan* and here (Rambam *Sefer Zemanim, Hilkhot Yom Tov* 7:8; *Shulḥan Arukh, Oraḥ Ḥayyim* 533:1).

Stopping the spout of a barrel – סתומת ברו חבית: If wine was seeping out of a barrel through a hole, it is prohibited to close the hole on Shabbat in any manner. However, a Torah scholar may employ artifice and say that he intends to store garlic in the hole (Rambam *Sefer Zemanim, Hilkhot Shabbat* 23:3; *Shulḥan Arukh, Oraḥ Ḥayyim* 314:11).

And slept in a ferry and...crossed to the other side – נאם במבָּרָא, ועבר להָךְ גִּיסָא: It is prohibited to board a ship or a boat on Shabbat knowing that a gentile will sail it. However, a Torah scholar may employ artifice and say that he is boarding the ship just to sleep or stroll on it, even though he knows that the gentile will cause the ship to sail. Nowadays, employing artifice is prohibited because Torah scholars are not considered to be of high enough caliber (*Tur, Oraḥ Ḥayyim* 339).

אמר רבי אבין בר רב הונא אמר רב חמא בר גוריא: מתעטף אדם בכילה ובכספסיה ויוצא לרשות הרבים בשבת, ואינו חושש.

מאי שנא מדרב הונא, דאמר רב הונא אמר רב: היוצא בטלית שאינה מצויצת כהלכתה בשבת – חייב חטאת. ציצית לגבי טלית – חשיבי, ולא בטלי. הני לא חשיבי – ובטלי.

אמר רבה בר רב הונא: מערים אדם על המשמרת ביום טוב לתלות בה רמונים, ותולה בה שמרים. אמר רב אשי: והוא תלה בה רמונים.

מאי שנא מהא, דתנא: מטיילין שָׂכר במועד לצורך המועד, שלא לצורך המועד – אסור. אחד שָׂכר תמרים ואחד שָׂכר שעורים. אף על פי שיש להן יושן – מערים ושותה מן החדש.

התם לא מוכחא מילתא, הכא – מוכחא מילתא.

אמרו ליה רבנן לרב אשי: חזי מר האי צורבא מרבנן, ורב הונא בן רבי חיון שמייה, ואמרי לה רב הונא ברבי חלון שמייה, דשקל ברא דתומא ומנח בברוא דדנא, ואמר: לאצנועיה קמפוינא. ואזיל ונאם במבָּרָא, ועבר להָךְ גִּיסָא וסיייר פירי, ואמר: אנא למינח קמפוינא.

Rabbi Avin bar Rav Huna said that Rav Hama bar Gureya said: A person may wrap himself in a canopy^h and in its straps and go out to the public domain on Shabbat, and he need not be concerned about violating the prohibited act of carrying out a burden.

The Gemara asks: In what way is the *halakha* with regard to the straps different from that which Rav Huna said? As Rav Huna said that Rav said: One who goes out unwittingly to the public domain on Shabbat with a four-cornered garment that does not have the requisite ritual fringes attached^h is liable to bring a sin-offering, because the remaining fringes are not an integral part of the garment. Since they do not fulfill the mitzva, they are considered a burden that may not be carried into the public domain on Shabbat. The Gemara answers: There is a distinction between the cases. **Ritual fringes are significant relative to a garment and are not negated.** They are considered an independent entity that may not be carried out into the public domain. **These straps of a canopy are not significant and are negated.**

Rabba bar Rav Huna said: According to the Rabbis, who prohibit suspending a strainer on a Festival, a person may nevertheless employ artifice and circumvent the prohibition against suspending a strainer by taking it on a Festival and suspending it^h for the purpose of pomegranates in it, which is permitted. Once the strainer is suspended, he may suspend it in order to filter sediment from the wine, as even the Rabbis hold that on a Festival it is permitted to do this straining through a strainer that is already suspended. Rav Ashi said: And this is only permitted provided that he actually suspended pomegranates in it before using it to strain wine. It must be obvious to all that he used the strainer in a permitted manner.

The Gemara asks: In what way is that *halakha* different from that which was taught in a *baraita*: One may begin brewing beer during the intermediate days of a Festival for the purpose of using it on the Festival.^h If it is not for the purpose of the Festival, it is prohibited. This is the *halakha* both with regard to date beer and with regard to barley beer. And even though they have old beer, one may employ artifice and say that he wishes to drink from the new, and that he is making beer on the intermediate days of the Festival for that purpose. Apparently, it is permitted to employ artifice even without actively demonstrating that one is performing the action for a permitted purpose. This contradicts the opinion of Rav Ashi.

The Gemara answers: There, with regard to beer, the matter is not evident. When people see someone starting to brew beer, they have no way of knowing whether or not he has beer at home, and consequently, whether or not the action itself is prohibited in that case. However, here, with regard to a strainer, the matter is evident, as people see him suspending a strainer for wine, which is prohibited.

On the topic of artifice, the Gemara relates that the Rabbis said to Rav Ashi: Master, observe this Torah scholar, and Rav Huna ben Rabbi Hayon is his name, and some say that his name is Rav Huna, son of Rabbi Halvan, who took a slice of garlic and placed it in the spout of a barrel, and said: I intend to store it. He thereby stopped the spout on Shabbat.^h And similarly, he went and slept in a ferry on the river, and the ferryman sailed the ferry across the river, and he thereby crossed to the other side^{HN} and inspected the fruit of his vineyard. He said: I intend to sleep. In this way, he crosses the river by boat on Shabbat, which is a prohibited activity.

NOTES

נאם במבָּרָא – ועבר להָךְ גִּיסָא: Most authorities explain that the prohibition violated by this trip is the general prohibition to travel through water, lest

one come to fix or fashion a boat. Other commentaries explain that it is prohibited due to carrying an object four cubits in a *karmelit* (*Tosefot Rid*).

אמר להו: הערמה קאמרת? הערמה
בדרבנן היא, וצורבא מרבנן לא אתי
למיבעבד לכתחילה.

מתני' נותנין מים על גבי השמרים
בשביל שיצולו, ומסננין את היין
בסודרין, ובכפיפה מצרית.

ונותנין ביצה במסננת של חרדל,
ועושין אנומלין בשבת. רבי יהודה
אומר: בשבת – בבוס, ביום טוב –
בלגין, ובמועד – בחבית. רבי צדוק
אומר: הכל לפי האורחין.

גמ' אמר זעירי: נותן אדם יין צלול
ומים צלולין לתוך המשמרת בשבת
ואינו חושש. אבל עכו"ם – לא.

מיתבי, רבן שמעון בן גמליאל
אומר: טורד אדם חבית של יין,
ינה ושמריה, ונותן לתוך המשמרת
בשבת ואינו חושש! תרגמה זעירי:
בין הגיתות שנו.

"מסננין את היין בסודרין". אמר רב
שימי בר חייא: ובלבד שלא יעשה
גומא.

Rav Ashi said to them: Are you speaking of artifice?^N This is artifice employed to circumvent a rabbinic prohibition, and a Torah scholar will not come to perform the action *ab initio* without artifice. Therefore, there is no reason to prohibit him from doing so.

MISHNA One may pour water over sediment^H that is in a strainer on Shabbat so that it will become clear and clean. And similarly, one may filter wine^H through cloths and through an Egyptian basket made from palm leaves. Since these liquids are drinkable even without filtering, doing so does not violate the prohibition of selecting.

And likewise, one may place an egg in a mustard strainer^{HB} in order to separate the yolk from the egg-white, and one may prepare *anumlin*,^I a wine-based drink, on Shabbat. Rabbi Yehuda says: On Shabbat one may only make *anumlin* in a small cup; on a Festival, in a larger vessel; and on the intermediate days of a Festival, one may even prepare it in a barrel. Rabbi Tzadok says: There is no objective principle; rather, it is all according to the number of guests; if they are numerous, one may prepare a larger quantity of *anumlin*.

GEMARA Ze'iri said: A person may place clear wine and clear water into a strainer on Shabbat,^H and he need not be concerned over the prohibition of selecting, as the wine is drinkable even without this filtering. However, doing so with murky liquids, no, one may not strain them.

The Gemara raises an objection from a *baraita*: Rabban Shimon ben Gamliel says: A person may stir a barrel of wine, mixing its wine and its sediment, and place it in a strainer on Shabbat, and he need not be concerned. Apparently, it is permitted to place even murky wine in a strainer. Ze'iri explained that *baraita* and resolved the difficulty: That was taught with regard to wine between the presses, when the wine has yet to ferment and will remain murky even after filtering.

We learned in the mishna: One may filter wine through cloths on Shabbat. Rav Shimi bar Hiyya said: This is permitted provided one does not make a hole^H in the cloth through which to pour the wine, as one must diverge from the usual, weekday manner of performing this activity.

HALAKHA

נותנין מים על גבי השמרים – One may pour water over sediment – It is permitted on Shabbat to pour water onto wine sediment that was suspended in a strainer before Shabbat, as stated in the mishna according to Rashi's explanation (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 8:14; *Shulhan Arukh*, *Orah Hayyim* 319:9).

ומסננין את היין וכו' – And one may filter wine, etc. – One is permitted to filter wine on Shabbat in an atypical manner, e.g., through cloths or utilizing an Egyptian basket. However, in deference to Shabbat, one must make certain to avoid lifting the basket from the base of the vessel and clearly demonstrating that he is making a change (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:33; *Shulhan Arukh*, *Orah Hayyim* 319:12).

ביצה במסננת חרדל – On Shabbat, it is permitted to crack an egg into a strainer in which mustard is being strained, so long as the mustard was placed in the strainer before Shabbat (*Mishna Berura*). This is the ruling even though this will cause the egg yolk and white to separate (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 8:14; *Shulhan Arukh*, *Orah Hayyim* 319:15).

נותן אדם יין צלול מים צלולין לתוך המשמרת בשבת – A person may place clear wine and clear water into a strainer on Shabbat – Clear water and clear wine may be placed in a strainer on Shab-

bat, because these liquids are drinkable even without straining, and the straining does not effect a positive change in the liquid. If one has used a cloth to strain clear liquid, it is then prohibited to strain water through that cloth, because doing so might whiten and launder the cloth. Nevertheless, it is permitted to use a cloth to strain wine or other liquids. It is forbidden to strain murky water or wine. However, wine straight from the press, which is still fermenting, may be stirred together with the sediment and strained. According to the Rambam, it is prohibited to strain even clear water or wine with a strainer. The use of a cloth is permitted only for clear liquids but not for murky ones. The *halakha* is in accordance with the first opinion (*Mishna Berura*, quoting the *Or Zarua*), and in accordance with the ruling of Rabban Shimon ben Gamliel, as explained by Ze'iri (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 8:14; *Shulhan Arukh*, *Orah Hayyim* 319:10).

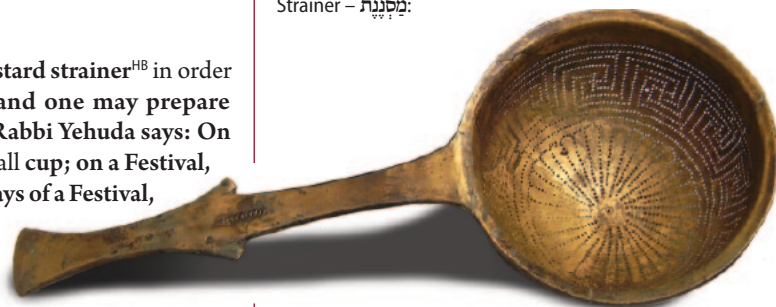
ובלבד שלא יעשה גומא – Provided one does not make a hole – When straining murky (*Mishna Berura*) wine on Shabbat through a cloth, one should not make a hole in the cloth, to diverge from the method of straining on weekdays, as per the opinion of Rav Shimi bar Hiyya (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:17; *Shulhan Arukh*, *Orah Hayyim* 319:11).

NOTES

Artifice – הערמה: Artifice is permitted in cases that are not fundamentally prohibited, but involve activity that is prohibited either by rabbinic decree or due to concern that one might come to transgress a Torah prohibition. Consequently, when a Torah scholar, who is aware of the severity of the Torah prohibition and the parameters of the rabbinic decree, acts in a manner that is not clearly perceived as a transgression, artifice is permitted.

BACKGROUND

מסננת – Strainer



Roman strainer from the talmudic period

LANGUAGE

אנומלין – *Anumlin*: From the Greek οἰνόμελι, *oinomeli*, meaning wine mixed with honey.

The cover of a barrel – כיסוי חבית – It is prohibited to cover the entire mouth of a barrel with a cloth on Shabbat, due to the concern that this may constitute constructing a tent. Rather, one should leave part of the mouth of the barrel uncovered. If the barrel is so full that there is less than a handbreadth between the liquid and the cover, it is permitted to cover the entire opening (Ran; Rosh; see *Mishna Berura*; Rambam *Sefer Zemanim, Hilkhos Shabbat* 21:17; *Shulhan Arukh, Oraḥ Hayyim* 315:13).

Twigs in the mouth of a barrel – קיסמין בפי חבית – On Shabbat, one may not fill the mouth of a vessel with straw and twigs before pouring murky (*Mishna Berura*) wine into it, because the straw and twigs strain the wine (*Shulhan Arukh, Oraḥ Hayyim* 319:13).

Pouring liquid from one vessel to another – עירוי – משקה מכלי לכלי: It is permitted to pour liquid from one vessel to another on Shabbat, even if one prevents the dregs from entering the second vessel. However, one must make certain to leave drops of the liquid in the dregs so that this act will not appear to be actual selecting (*Shulhan Arukh, Oraḥ Hayyim* 319:14).

”ובכפיה מצרית”. אמר רב חייא בר אשי
אמר רב: ובלבד שלא יגביה מקרקעיתו של
כלי טפח.

אמר רב: האי פרונקא, אפליגיה דכוכא – שרי,
אבוליה כוכא – אסור.

אמר רב פפא: לא ניהדק איניש ציניתא בפומיה
דכוזי דחביתא, משום דמיחזי כמשמרת.

דבי רב פפא שאפו שיכרא ממנא למנא. אמר
ליה רב אחא מדיפתה לרבינא: האיכא ניצוצות!
ניצוצות לבי רב פפא לא חשיבי.

”ונותנין ביצה במסננת”. תני יעקב קרח:

We also learned in the mishna: **And it is permitted to filter wine on Shabbat through an Egyptian basket.** Rav Ḥiyya bar Ashi said that Rav said the following caveat to that statement: It is permitted **provided one does not lift the basket a handbreadth from the bottom of the lower vessel.** This ensures that one performs the activity in an atypical manner (Rabbeinu Yona).

Rav said: It is permitted to place this cover that has holes for filtering over half a barrel,¹ but it is prohibited to spread it over the entire barrel, in order that it not appear as though one is using it as a filter (Rabbeinu Ḥananel).

Rav Pappa said: A person may not attach a bundle of straw to the mouth of a barrel’s spigot,² because it appears like a strainer.

The Gemara relates: The members of Rav Pappa’s household would carefully pour beer from one vessel to another³ so that the dregs from one vessel would not pass to the other. Rav Aḥa from Difti said to Ravina: But there are the final drops, which remain when one pours the beer into another vessel. When pouring the final drops from the dregs left in the vessel, one is in violation of the prohibition of selecting. He replied: In Rav Pappa’s house they would leave the final drops in the first vessel together with the dregs. They would not attempt to separate them, as the last drops were not significant to the household of Rav Pappa, because beer was always readily available in his house.

And we further learned in the mishna: **One may place an egg in a mustard strainer on Shabbat** in order to separate the yolk from the egg-white. The Sage, Ya’akov Korḥa, taught a reason for this:

לפי שאין עושין אותה אלא לגוון.

Because it is only made to enhance the color of the food. That does not negate the egg-white as significant food in the sense that it would be considered waste, and therefore, no actual selection is performed.

איתמר, חרדל שלשו מערב שבת, למחר, אמר
רב: ממחו בכלי, אבל לא ביד.

It is stated: With regard to mustard that one kneaded on Shabbat eve, on the following day, Shabbat, Rav said: One may dissolve it in wine or water with a vessel, but not with his hand, as using a vessel diverges from the normal method of preparation.

אמר ליה שמואל: ביד, אטו כל יומא ממחו ליה
ביד? מאכל חמורים הוא! אלא אמר שמואל:
ממחו ביד, ואינו ממחו בכלי.

Shmuel said to him: Why may he not dissolve it with his hand? Is that to say that he dissolves it with his hand every day? If it is prepared in that manner, it is donkey food. Certainly dissolving by hand is not the manner in which mustard is prepared during the week. Therefore, dissolving mustard with a vessel should not be permitted on Shabbat. Rather, Shmuel said the opposite: He may dissolve it with his hand as a divergence from the typical method of preparation, but he may not dissolve it in the usual manner, with a vessel.

איתמר, רבי אלעזר אמר: אחד זה ואחד זה –
אסור, ורבי יוחנן אמר: אחד זה ואחד זה – מותר.
אביי ורבא דאמרי תרוניה: אין הלכה ברבי
יוחנן.

It is stated that *amora'im* from Eretz Yisrael also disputed this issue, as Rabbi Elazar said: Both this and that, dissolving by hand and with a vessel, are prohibited; while Rabbi Yoḥanan said: Both this and that are permitted. Abaye and Rava both said: The *halakha* is not in accordance with the lenient opinion of Rabbi Yoḥanan.

The *halakha* is not in accordance with any of these statements – לִית הִלְכָתָא כָּל הֵי שְׁמַעְתָּא – This expression should not necessarily be taken as a total rejection of all the preceding statements. Rather, it means that most of the statements are rejected. Indeed, according to one view, Rabbi Yohanan had permitted dissolving mustard both by hand and with a vessel (see *Tosafot, Ketubot* 54a).

LANGUAGE

Aluntit – אֶלוֹנְטִית: The etymology of this word is uncertain. It is probably from the Greek οἰνάνθη, *oinanthe*, a wine-based ointment.

קם רבי יוחנן בשיטתיה דרבי אלעזר, קם רבי אלעזר בשיטתיה דשמואל. אביי ורבא דאמרי תרוניהו: הלכה כרבי יוחנן.

Subsequently, Rabbi Yohanan stood and adopted the opinion of Rabbi Elazar and prohibited both methods of dissolving. Rabbi Elazar stood and adopted the opinion of Shmuel, who prohibited using a vessel but permitted it by hand. Given these stances, Abaye and Rava both said: The *halakha* is in accordance with the opinion of Rabbi Yohanan, who prohibited both methods.

אימיה דאביי עבדא ליה ולא אכל, דביתהו דזעירא עבדא ליה לרב חייא בר אשי ולא אכיל, אמר ליה: לרבך עבדי ליה ואכל, ואת לא אכלת? אמר רבא בר שבא: הוה קאימנא קמיה דרבינא ובהשי ליה בשופתא דתומא, ואכל.

The Gemara relates: Abaye's mother, actually his foster mother, prepared mustard for him, and he did not eat it. Ze'ira's wife prepared mustard for Rav Hiyya bar Ashi, her husband's student, and he did not eat it. She said to him: I made this for your rabbi and he ate it, and you do not eat it? Rava bar Shabba said: I was standing before Ravina, and they stirred mustard for him with the inner part of the garlic, and he ate it.

אמר מר זוטרא: לית הלכתא ככל הני שמעתתא, אלא כי הא דאתמר: חרדל שלשו מערב שבת, למחר ממחו בין ביד בין בכלי, ונותן לתוכו דבש. ולא יטרוף אלא מערב.

Mar Zutra said: The *halakha* is not in accordance with any of these statements.^N Rather, it is in accordance with this one, as it was stated: Mustard that one kneaded on Shabbat eve,^H on the following day he may dissolve it either by hand or with a vessel, and he may place honey in it. And when he dissolves it he may not beat it forcefully as would a craftsman, but he may mix it gently.

שחליים ששחקן מערב שבת, למחר – נותן לתוכן שמן וחומץ, וממשיך לתוכן אמיתא, ולא יטרוף אלא מערב. שום שריסקו מערב שבת, למחר – נותן לתוכו פול וגריסין, ולא ישחוק אלא מערב, וממשיך את אמיתא לתוכן. מאי אמיתא? נניא. אמר אביי: שמע מינה – האי נניא מעליא לתחלי.

Cress that one ground on Shabbat eve, on the following day he may place oil and vinegar in it, and add *amita* into the mixture, and he may not beat it, but he may mix it. Similarly, garlic that one crushed on Shabbat eve,^H on the following day, he may place beans and grits in it, and he may not pound, but mix, and he may add *amita* into the mixture. The Gemara asks: What is *amita*? The Gemara answers: It is mint. Abaye said: Learn from this that adding mint is beneficial for cress.

”ועושין אנומלין בשבת.” תנו רבנן: עושין אנומלין בשבת, ואין עושין אלונטית. ואיזו היא אנומלין ואיזו היא אלונטית? אנומלין – יין ודבש ופלפלין, אלונטית – יין ושן ומים צלילין ואפרסמון, דעבדי לבי מסותא למיקר.

We also learned in the mishna: One may prepare *anumlin* on Shabbat. The Sages taught in a *baraita*: One may prepare *anumlin* on Shabbat. However, one may not prepare *aluntit*.^{HL} The *baraita* explains: And what is *anumlin* and what is *aluntit*? *Anumlin* is a drink, which is a mixture of wine, honey, and pepper. *Aluntit* is a mixture of aged wine and clear water and balsam, which they prepare for use after bathing in a bathhouse to cool down from the heat of the bathhouse. It is prohibited to prepare it on Shabbat because it is a form of remedy.

אמר רב יוסף: זימנא חדא עלית בתר מר עוקבא לבי באני, כי נפקי אתאי אשקיין חמרא חד כסא – וחשי מבניתא דראשי ועד טופרא דכרעי. ואי אשקיין כסא אחרניא – הווי מסתפינא דלמא מנכו לי מזכותא דעלמא דאתי. והא מר עוקבא דשתי כל יומא! שאני מר עוקבא דדש ביה.

Rav Yosef said: On one occasion, I followed Mar Ukva into a bathhouse. When I exited, he came and gave me one cup of this wine to drink, and I felt its chill from the hairs on my head down to the toenails on my feet. And if he had given me another cup to drink, and if I would have survived it, I would have feared a reduction of my merit in the World-to-Come. The Gemara asks: Didn't Mar Ukva drink this wine every day? How was he not harmed? The Gemara answers: Mar Ukva was different, as he grew accustomed to it.

HALAKHA

חרדל שלשו מערב – שבת: Mustard that was kneaded before Shabbat may be mixed on Shabbat with wine or water (*Mishna Berura*), even with a ladle. One may also mix honey into it but may not beat it (*Mishna Berura*) in the usual manner. Rather, one may mix in the honey a little at a time, in accordance with the conclusion of Mar Zutra, who was a later authority (*Rambam Sefer Zemanim, Hilkhhot Shabbat* 8:14, 22:12; *Shulhan Arukh, Orah Hayyim* 321:15).

Cress that one ground on Shabbat eve...garlic that one crushed on Shabbat eve – שום: שריסקו מערב שבת: On Shabbat, it is permitted to add food and liquid to cress and garlic that were mixed on Shabbat eve. One may

not beat them, but may mix them gently. Some authorities rule that one must change the usual, weekday method of preparation and mix them by hand rather than with a vessel, or first place the food in a bowl and then add the liquid (*Rambam Sefer Zemanim, Hilkhhot Shabbat* 22:12; *Shulhan Arukh, Orah Hayyim* 321:16).

One may prepare *anumlin* on Shabbat. However, one may not prepare *aluntit* – עושין אנומלין בשבת, ואין עושין אלונטית: It is permitted to blend a mixture of wine, honey, and pepper, because it is a beverage. However, one may not blend a mixture of old wine, water, and balsam oil, because it is a medicine (*Rambam Sefer Zemanim, Hilkhhot Shabbat* 22:11; *Shulhan Arukh, Orah Hayyim* 321:17).

BACKGROUND

Asafoetida [hiltit] – חֵלְתִית: *Ferula assafoetida*, also known as devil's dung or giant fennel, is a perennial plant of the umbel family. It has a thick root and a stem with leafed branches. The asafoetida grows to a height of 2–3 m. It is native mainly to Afghanistan and the neighboring regions. The plant grows for several years until it blossoms and produces fruit, after which it dies.

Medicinal asafoetida is manufactured from the resin found in the root of the plant. It was used, and is still used today, as a medicine in the form of powder, creams, pills, etc., both for intestinal diseases and for strengthening the nervous system. In certain places, asafoetida is even used as a spice. Consumption of asafoetida in amounts of more than a gram is dangerous and can lead to poisoning.



Asafoetida root, stem, and leaf

HALAKHA

Soaking asafoetida – שְׂרִיית חֵלְתִית: Asafoetida may not be soaked on Shabbat because it is primarily utilized as a medicine. It is permitted, however, to place it in vinegar, since even healthy people drink it in this manner. If it was already soaking from the day before, it is permitted to continue soaking it on Shabbat. If a person drank asafoetida on the two days prior to Shabbat for medicinal purposes, it may be soaked on Shabbat, because interrupting treatment is dangerous (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:7; *Shulhan Arukh*, *Orah Hayyim* 321:18).

Handling vetches – טִיפּוֹל בְּכַרְשִׁינִין: It is prohibited to soak vetches on Shabbat. In addition, one may not rub them by hand to remove the chaff. However, one may place them in a sieve so that the waste falls off on its own (*Shulhan Arukh*, *Orah Hayyim* 319:8).

Handling straw – טִיפּוֹל בְּתָבָן: One may not sift straw on Shabbat or place it in a high place so that the chaff will separate and blow away. However, it is permitted to lift it with a sieve and place it in a trough, even though the chaff will thereby separate on its own (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:32; *Shulhan Arukh*, *Orah Hayyim* 324:1).

מתני' אין שורין את החלתית בפושרין, אבל נוטין לתוך החומץ. ואין שולין את הכרשנין, ולא שפין אותן, אבל נוטין לתוך הכברה או לתוך הכלכלה.

אין בוכרין את התבן בכברה ולא יתננו על גבי מקום גבוה בשביל שירד המוך, אבל נוטל הוא בכברה ונותן לתוך האיבוס.

גמ' איבעיא לה: שרה מאי? תרגמא רב אדא נרשאה קמיה דרב יוסף: שרה – חייב חטאת.

אמר ליה אביי: אלא מעתה שרה אומצא במיא, הכי נמי דמחייב? אלא אמר אביי: מדרבנן, שלא יעשה כדרך שהוא עושה בחול.

בעא מיניה רבי יוחנן מרבי ינאי: מהו לשרות את החלתית בצונן? אמר ליה: אסור. והא אנן תנן: "אין שורין את החלתית בפושרין" הא בצונן – מותר!

אמר ליה: אם כן, מה בין לילך? מתניתין יחידאה היא, דתנא: אין שורין את החלתית לא בחמין ולא בצונן, רבי יוסי אומר: בחמין – אסור, בצונן – מותר.

למאי עבדי ליה – ליוקרא דליבא. רב אחא בר יוסף חש ביוקרא דליבא, אתא לקמיה דמר עוקבא. אמר ליה: זיל שתי תלתא תיקלי חילתתא בתלתא יומי. אזל אישתי חמשא בשבת, ומעלי שבת. לצפרא אזל שאל בי מדרשא, אמרו ליה: תנא דבי רב אדא, ואמרי לה – תנא דבי מר בר רב אדא: שותה אדם קב או קבנים – ואינו חושש.

MISHNA One may not soak asafoetida^{BH} in lukewarm water to prepare a medicinal drink from it; however, one may place it into vinegar like a standard spice. And one may not soak vetches^N in water in order to separate them from their chaff, nor rub them by hand so as to remove their chaff. However, one may place them into a sieve or into a basket, and if the chaff gets removed, so be it.^H

One may not sift straw in a sieve, and similarly, one may not place it on a high place so that that the chaff blows away in the wind; however, one may take the straw in a sieve and place it into the trough of an animal, and one need not be concerned if the chaff is removed in the process.^H

GEMARA A dilemma was raised before the Sages: If one unwittingly soaked asafoetida on Shabbat, what is the *halakha*? Rav Adda from the city of Naresh interpreted it before Rav Yosef: If one soaked it, he is liable to bring a sin-offering.

Abaye said to him: But if that is so, if one soaked a piece of meat in water, would you also say that he is liable? No cooking was performed at all. Rather, Abaye said: It is prohibited by rabbinic decree, so that one will not conduct himself on Shabbat in the manner in which he conducts himself during the week.

Rabbi Yohanan raised a dilemma before Rabbi Yannai: What is the *halakha* with regard to soaking asafoetida in cold water on Shabbat? Rabbi Yannai said to him: It is prohibited. Rabbi Yohanan asked: Didn't we learn in the mishna: One may not soak asafoetida in lukewarm water, indicating that it is permitted to soak it in cold water?

Rabbi Yannai said to him: If so, that is the difference between my knowledge and yours, as I am able to analyze the *halakha* more profoundly. In this case, the mishna is not a reliable source, as the mishna expresses an individual opinion.^N As it was taught in the *Tosefta*: One may neither soak asafoetida in hot water nor in cold water. Rabbi Yosei says: In hot water it is prohibited; in cold water it is permitted. The mishna that does not prohibit cold water is in accordance with the individual opinion of Rabbi Yosei, but the *halakha* is not ruled based on that opinion.

The Gemara asks: For what purpose is soaked asafoetida prepared? The Gemara answers: As a cure for heaviness of the heart. One who feels a pain in his heart drinks asafoetida. The Gemara relates: Rav Aha bar Yosef felt heaviness in his heart. He came before Mar Ukva to ask his advice. Mar Ukva said to him: Go drink the weight of three shekels of asafoetida in three days. He went and drank on Thursday and Shabbat eve. In the morning, he went and asked in the study hall if he could drink it on Shabbat. They said to him: The Sage from the school of Rav Adda taught, and others say, that the Sage from the school of Mar bar Rav Adda taught: A person may drink asafoetida on Shabbat, even a *kav* or two *kav*, and he need not be concerned about the decree prohibiting medicine, because asafoetida is drunk by healthy people as well.

NOTES

ואין שולין את הכרשנין – And one may not soak [sholin] vetches – According to the version of the mishna that includes the word *sholin*, the verb means pouring water over vetches to separate them from their waste (Rashi). An alternate version is *shorin*, soaking, which would be prohibited because the vetches thereby become fit for eating.

מתניתין יחידאה – The mishna expresses an individual opinion – **היא**: If it can be demonstrated that the mishna is in accordance

with the opinion of an individual Sage's opinion, the *halakha* is ruled in accordance with the unattributed mishna. It would be in accordance with the majority opinion found in the more detailed source. This concept appears, in a very different form, in the Jerusalem Talmud, which cited Rabbi Yohanan as saying: For naught we have toiled, meaning, all the toil in studying and analyzing this mishna has been for naught, and he must accept the *halakha* from his teacher.

Softening clothes – ריכוך בגדים – On Shabbat, one is permitted to rub clothes that have hardened after washing and drying in order to soften them. However, according to the version of the Gemara cited in the *Beit Yosef*, it is prohibited to rub a scarf and other linen garments, because the brushing of the garment constitutes the prohibited act of whitening (Rambam *Sefer Zemanim, Hilkhot Shabbat* 22:17; *Shulhan Arukh, Orach Hayyim* 302:5).

אמר להו: לשתות – לא קמיבעיא לי, כי קא מיבעיא לי – לשרות, מאי? אמר להו רב חייא בר אבין: בדידי הוה עובדא, ואתאי שאילתיה לרב אדא בר אהבה, ולא הוה בדידיה. אתאי שאילתיה לרב הונא, ואמר: הכי קאמר רב "שורה בצונן ומניח בחמה".

במאן דשרי? אפילו למאן דאסר, הני מילי – היכא דלא אישתי כלל, אבל הכא פיון דאישתי חמשא ומעלי שבתא, אי לא שתי בשבת – מיסתכן.

מיסתמין ואזיל רב אחא בר יוסף אכתפיה דרב נחמן בר יצחק בר אחתיה, אמר ליה: כי מטינן לבי רב ספרא – עיילינא, כי מטי – עייליה. בעא מיניה: מהו לבסבוכי ביתניתא בשבתא? לרבוכי ביתניתא קא מיכוין – וישפיר דמי, או דילמא: לאולודי חיוורא קמיכוין, ואסיר? אמר ליה: לרבוכי קא מיכוין, וישפיר דמי.

כי נפק אתא, אמר ליה: מאי בעא מר מיניה? אמר ליה: בעי מיניה: מהו לבסבוכי ביתניתא בשבתא, ואמר לי: שפיר דמי.

ותבעי ליה למר סודרא? סודרא לא קא מיבעיא לי, דבעי מרב הונא ופשיט לי.

ותפשיט ליה למר מסודרא! אמר ליה: התי – מיחזי בי אולודי חיוורא, הכא – לא מיחזי באולודי חיוורא.

אמר רב חסדא: האי ביתניתא,

Rav Aha bar Yosef said to them: With regard to drinking, I have no dilemma. When I raised a dilemma, it is with regard to soaking asafoetida; what is the *halakha*? Rav Hiyya bar Avin said to them: There was an incident that happened with me, and I came and asked that question to Rav Adda bar Ahava, and he did not have an answer for it. I came and asked Rav Huna, and he said that this is what Rav is saying: One may soak asafoetida in cold water and place it in the sun to warm it so it will be fit to drink.

The Gemara asks: Was Rav's ruling according to the opinion of the one who permitted soaking asafoetida in cold water? The Gemara answers: His ruling could be even according to the opinion of the one who prohibited doing so; this prohibition applies only when he had not drunk asafoetida at all; however, here, since he drank it on Thursday and on Shabbat eve, if he does not drink on Shabbat he would thereby be endangered. Therefore, he is permitted even to soak the asafoetida.

The Gemara relates another incident involving Rav Aha bar Yosef: Rav Aha bar Yosef was walking and leaning on the shoulder of Rav Nahman bar Yitzhak, his sister's son. Rav Aha said to him: When we arrive at Rav Safra's house, bring me in. When they arrived, Rav Nahman brought him in. Rav Aha then raised a dilemma before Rav Safra: What is the *halakha* pertaining to rubbing and thereby softening a linen shirt that is hard after being laundered on Shabbat? Does one intend to soften the shirt, and one may well do so? Or perhaps he intends to generate whiteness in the shirt, and it is prohibited? Rav Safra said to him: He intends to soften, and one may well do so.

When Rav Aha emerged and came from Rav Safra's house, Rav Nahman said to him: What dilemma did the Master raise before Rav Safra? Rav Aha said to him: I raised the following dilemma before him: What is the *halakha* pertaining to rubbing and thereby softening a linen shirt on Shabbat, and he said to me: One may well do so.

Rav Nahman bar Yitzhak asked: And let the Master raise the same dilemma with regard to rubbing a scarf. He replied: I did not raise the dilemma with regard to a scarf, as I raised it before Rav Huna. And he resolved it for me and said that it is permitted (Rif).

Rav Nahman asked him: And let the Master resolve the dilemma with regard to a shirt from Rav Huna's ruling with regard to a scarf. Rav Aha said to him: There is a difference between the cases: There, in the case of a shirt, it appears that one is generating whiteness, whereas here, in the case of a scarf, it does not appear that one is generating whiteness, as people are not so particular with the whiteness of a scarf, and one's intention is undoubtedly to soften it.¹⁴

Rav Hisda said: With regard to this linen shirt,

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משלפו לידה מקנא – שרי קנא ממנה – אסור. אמר רבא: ואם כלי קינאי הוא – מותר.

אמר רב חסדא: האי בישתא דירקא, אי חזיא למאכל בהמה – שרי לטלטולי, ואי לא – אסור.

to remove it from the reed upon which it is hanging is permitted; however, to remove the reed from it is prohibited. Since the reed is not a vessel, it is set-aside. Rava said: And if it is hung on a weaver's vessel,¹⁵ it is permitted to remove the vessel as well. Although its primary function is for a prohibited labor, since it is a vessel, it may be moved.

Rav Hisda said: This bundle of vegetables, if it is suitable for animal food, it is permitted to move it on Shabbat, but if not, it is prohibited to move it.¹⁶

HALAKHA

Removing a shirt from a reed...and if it is a weaver's vessel, etc. – ...: If garment was hung to dry on a reed that was not designated as a vessel, the garment may be removed. However, the reed may not be moved, as it is set-aside. If, however, one hung the garment on a vessel, even a vessel whose primary function is for prohibited labor, it is permitted even to move the

vessel (Rambam *Sefer Zemanim, Hilkhot Shabbat* 25:18; *Shulhan Arukh, Orach Hayyim* 308:16).

Moving bundles of vegetables – טלטול חבילות ירק: Bundles of vegetables or soft hay (*Mishna Berura*) that were prepared as animal food may be moved on Shabbat, even if they are large (Rambam *Sefer Zemanim, Hilkhot Shabbat* 26:16; *Shulhan Arukh, Orach Hayyim* 308:28).

BACKGROUND

Meat hook – תללא דבישרא – אָסיר.



Hook used for meat

HALAKHA

The proper manner of breaking bread – דרך בציעה – One should not cut a small slice of bread because it appears miserly, and one should not cut a slice larger than the volume of an egg because it appears gluttonous (Rambam *Sefer Ahava*, *Hilkhot Berakhot* 7:3).

LANGUAGE

Neck [unka] – אונקא: From the Arabic عنق, *unq*, meaning neck.

אמר רב חייא בר אשי אמר רב: האי תללא, דבישרא – שרי לטלטולי, דכוורי – אסיר.

אמר רב קטינא: העומד באמצע המטה – כאילו עומד בכריסה של אשה. ולא מילתא היא.

ואמר רב חסדא: בר בי רב דובין ירקא – לזבין אריכא, כישא כי כישא, ואורכא ממילא.

ואמר רב חסדא: בר בי רב דובין קנא – לזבין אריכא, טונא כי טונא, ואורכא ממילא.

ואמר רב חסדא: בר בי רב [דלא נפישא ליה ריפתא] – לא ליכול ירקא, משום דגריי. ואמר רב חסדא: אנא לא בעניתי אכלי ירקא, ולא בעתיותי אכלי ירקא. בעניתי – משום דגריי, בעתיותי – דאמינא: היכא דעיל ירקא ליעול בשרא וכוורי.

ואמר רב חסדא: בר בי רב דלא נפישא ליה ריפתא – לא ליבצע בצועי. ואמר רב חסדא: בר בי רב דלא נפישא ליה ריפתא – לא ליבצע, מאי טעמא – דלא עביד בעין יפה. ואמר רב חסדא: אנא מעיקרא לא הואי בצענא עד דשדאי ידי בכולי מנא ואשבחי [ביה כל צרכי].

ואמר רב חסדא: האי מאן דאפשר ליה למיכל נהמא דשערי ואכל דחיתי – קעבר משום "בל תשחית". ואמר רב פפא: האי מאן דאפשר למישתי שיכרא ושתי חמרא – עובר משום "בל תשחית". ולא מילתא היא, בל תשחית דגופא עדיף.

ואמר רב חסדא: בר בי רב דלית ליה משחא – ניםשי במיא דחריצי.

ואמר רב חסדא: בר בי רב דובין אומצא – לזבין אונקא, דאית ביה תלתא מיני בישרא.

ואמר רב חסדא: בר בי רב דובין כיתונתא – לזבין מדנהר אבא, וניחורה כל תלתין יומין, דמפטא ליה תריסר ירחי שתא, ואנא ערבא. מאי כיתונתא – כיתא נאה.

Rav Hiyya bar Ashi said that Rav said as follows: In the case of this hook, if it is used for hanging meat,⁸ it is permitted to move it, as it is also suitable for other uses. However, if it is a hook for hanging fish, it is prohibited to move it, because it smells bad (Rabbeinu Hananel) and is used exclusively for fish.

Rav Ketina said: One who stands on a board in the middle of a bed, it is as though he were standing on the stomach of a woman. Just as he would certainly injure the woman, he will certainly break the bed (*ge'onim*). The Gemara comments: And it is not a correct matter, and it is not accepted as *halakha*.

On the topic of the bundle of vegetables, the Gemara cites additional advice on similar issues that Rav Hisda said to poor scholars experiencing difficulty earning a livelihood: A student of a Torah academy who buys vegetables should buy long ones. A bundle is a bundle, and they have a standard thickness at a standard price. However, the addition of length comes on its own for free.

And Rav Hisda also said: A student of a Torah academy who buys reeds should buy long ones, since a bundle is a bundle. Bundles of reeds have a standard thickness, but the length comes on its own for free.

And Rav Hisda further said: A student of a Torah academy who does not have much bread should not eat a vegetable, because it whets the appetite. And Rav Hisda said: I neither ate a vegetable in my state of poverty, nor did I eat a vegetable in my state of wealth. In my poverty, I did not eat a vegetable because it whets the appetite. In my wealth, I did not eat a vegetable because I said: Where a vegetable enters, let meat and fish enter instead.

And Rav Hisda said: A student of a Torah academy who does not have much bread should not cut it into thin slices; rather, he should eat what he has in one helping. And Rav Hisda said: A student of a Torah academy who does not have much bread should not break it⁹ for guests. What is the reason? As he will not do so in a generous manner. And Rav Hisda said: Originally, I would not break bread until I placed my hand in the entire dish to assure that I found that there was enough bread to meet my needs.

And Rav Hisda also said: One who is able to eat barley bread and nevertheless eats wheat bread violates the prohibition against wanton destruction. One who wastes resources is comparable to one who destroys items of value. And Rav Pappa said: One who is able to drink beer and nevertheless drinks wine violates the prohibition against wanton destruction. The Gemara comments: And this is not a correct matter, as the prohibition against destruction of one's body takes precedence. It is preferable for one to care for his body by eating high quality food than to conserve his money.

And Rav Hisda said: A student of a Torah academy who has no oil should wash, i.e., smear himself, with ditch water, as the scum that accumulates in it is as useful as oil.

And Rav Hisda said: A student of a Torah academy who buys meat should buy from the neck [unka],¹ as there are three types of meat there.

And Rav Hisda said: A student of a Torah academy who buys a linen shirt [kitonita] should buy it from those who work by the river Abba, and should wash it every thirty days, so that it will last him for the twelve months of the year. And I guarantee that the shirt will remain in good shape. The Gemara comments: What is the meaning of *kitonita*? A fine class [*kita*], as fine clothing provide one entry into a well-dressed class of people.

ואמר רב חסדא: בר בי רב לא ליתב אציפתא חדתא, דמכליא מאניה.

And Rav Hisda said: A student of a Torah academy should not sit on a new mat, as its dampness ruins his garments.

ואמר רב חסדא: בר בי רב לא לישדר מאניה לאושפיה לחוריה ליה, דלאו אורח ארעא, דילמא חוי ביה מידי ואתי למגמא.

And Rav Hisda said: A student of a Torah academy should not give his clothes to his host to wash for him, as that is not proper behavior, for the host might see something on it, such as signs of a seminal emission, and he will be demeaned in the eyes of his host.

אמר להו רב חסדא לבנותיה: תיהו צניעותא באפי גברייכו, לא תיכלון נהמא באפי גברייכו.

After citing Rav Hisda's recommendations to students, the Gemara cites his advice to his daughters. Rav Hisda said to his daughters: Be modest before your husbands; do not eat bread before your husbands,^N lest you eat too much and be demeaned in their eyes.

לא תיכלון ירקא בליליא, לא תיכלון תמרי בליליא, ולא תשתון שיכרא בליליא, ולא תיפנון היכא דמפני גברייכו.

Similarly, he advised: Do not eat vegetables at night, as vegetables cause bad breath. Do not eat dates at night and do not drink beer at night, as these loosen the bowels. And do not relieve yourself in the place where your husbands relieve themselves, so that they will not be revolted by you.

וכי קא קארי אבבא איניש לא תימרין "מנו" אלא "מני".

And when a person calls at the door seeking to enter, do not say: Who is it, in the masculine form, but rather: Who is it, in the feminine form. Avoid creating the impression that you have dealings with other men.

נקיט מרגניתא בחדא ידיה, וכורא בחדא ידיה. מרגניתא – אחוי להו, וכורא לא אחוי להו, עד דמיצטערן, והדר אחוי להו.

In order to demonstrate the value of modesty to his daughters, Rav Hisda held a pearl in one hand and a clod of earth in the other. The pearl he showed them immediately, and the clod of earth, he did not show them until they were upset due to their curiosity, and then he showed it to them. This taught them that a concealed object is more attractive than one on display, even if it is less valuable.

"אין שולין את הכרשינין". מתניתין דלא כי האי תנא: דתנא, רבי אליעזר בן יעקב אומר: אין משגיחין בכברה כל עיקר.

We learned in the mishna: One may not soak vetches in water in order to separate them from their chaff. However, one may take the straw in a sieve and place it into the trough of an animal. The Gemara comments: The mishna is not in accordance with the opinion of this tanna, as it was taught in a baraita: Rabbi Eliezer ben Ya'akov says: One may not look at a sieve at all on Shabbat, lest one come to violate the prohibited labor of selecting.

מתני' גורמין מלפני הפסם, ומסלקין לצדדן מפני הרעי, דברי רבי דוסא. וחכמים אוסרין. נוטלין מלפני בהמה זו ונותנין לפני בהמה זו בשבת.

MISHNA One may sweep hay from before an animal that is being fattened, and one may move hay to the sides for an animal that grazes on its own in the field (Rabbeinu Hananel);^N this is the statement of Rabbi Dosa. And the Rabbis prohibit doing so. One may take hay from before this animal and place it before that animal on Shabbat.

גמ' איבעיא להו: רבנן ארישא פליגי, או אסיפא פליגי, או אתרווייהו פליגי?

GEMARA A dilemma was raised before the Sages: Do the Rabbis, who are stringent, disagree with the first clause of Rabbi Dosa's statement, or do they disagree with the latter clause of the mishna, or do they disagree with both clauses?

תא שמע: דתנא, וחכמים אומרים: אחד זה ואחד זה – לא יסלקנו לצדדן.

Come and hear a resolution from that which was taught in a baraita. And the Rabbis say: With regard to both this, hay placed before an animal set aside for fattening, and that, hay placed before an animal that grazes on its own, one may not move it to the sides. Apparently, the Rabbis rule stringently in both cases.

NOTES

לא תיכלון נהמא באפי – An animal that is being fattened...an animal that grazes on its own in the field – הרעי...הרעי: In the Jerusalem Talmud, it is explained that an animal that is being fattened will not eat certain foods, since it is accustomed to eating quality food. An animal grazing on its own will eat these lesser-quality foods, since food is less readily available to it.

Some commentaries explain that this prohibition is referring to a case where the husband has already eaten his fill. If his wife continues eating, she will appear gluttonous in his eyes (*Me'ir*). Alternately, Rav Hisda is not referring to eating at mealtimes; rather, he is advising that a wife should not eat between meals (Rabbi Ya'akov Emden).

Sweeping a trough – גְּרִיפֵת אֵיבוֹם: On Shabbat, one may not sweep the bottom of a trough used by an ox that is being fattened, even if the trough is an actual vessel and not a trough formed in the ground. This is a rabbinic decree due to the concern lest one level holes in the ground when using a trough formed in the ground. This ruling is in accordance with the opinion of the Rabbis (Rambam *Sefer Zemanim, Hilkhot Shabbat* 26:19; *Shulhan Arukh, Orah Hayyim* 324:15).

An animal whose mouth is fine – בְּהֵמָה שְׁפִיָּה יָפָה: On Shabbat, one may move food that was placed before a donkey and place it before an ox, but not the opposite, because the food will be spoiled by the ox's saliva and the donkey will not eat it. Therefore, the ox's food is set-aside (Rambam *Sefer Zemanim, Hilkhot Shabbat* 26:19; *Shulhan Arukh, Orah Hayyim* 324:14).

אָמַר רַב חֲסִידָא: מַחְלוּקַת בְּאִיבוֹם שֶׁל קֶרֶקַע, אֲבָל בְּאִיבוֹם שֶׁל כָּלִי – דְּבָרֵי הַכֹּל מוֹתֵר. וְאִיבוֹם שֶׁל קֶרֶקַע מִי אֵיכָא לְמַאן דְּשָׂרִי? הָא קָא מְשַׁוֵּי גּוּמְוֹת! אֲלָא, אִי אֵיתִמֵּר הֵבֵי אֵיתִמֵּר: אָמַר רַב חֲסִידָא מַחְלוּקַת בְּאִיבוֹם שֶׁל כָּלִי, אֲבָל בְּאִיבוֹם שֶׁל קֶרֶקַע – דְּבָרֵי הַכֹּל אָסוּר.

“וְנוֹטְלִין מִלִּפְנֵי בְּהֵמָה.” תֵּנָּה חֲדָא: נוֹטְלִין מִלִּפְנֵי בְּהֵמָה שְׁפִיָּה יָפָה, וְנוֹתְנִין לִפְנֵי בְּהֵמָה שְׁפִיָּה רָעָה. וְתֵנָּה אֵידִךְ: נוֹטְלִין מִלִּפְנֵי בְּהֵמָה שְׁפִיָּה רָעָה וְנוֹתְנִין לִפְנֵי בְּהֵמָה שְׁפִיָּה יָפָה!

אָמַר אַבְיִי: אֵידִי וְאֵידִי מִקְמֵי חֲמָרָא לְקַמֵּי תוֹרָא – שְׁקָלִינָן, מִקְמֵי תוֹרָא לְקַמֵּי חֲמָרָא – לֹא שְׁקָלִינָן. וְהָא דְקִתְנִי “נוֹטֵל מִלִּפְנֵי בְּהֵמָה שְׁפִיָּה יָפָה” – בְּחֲמוֹר, דְּלִית לֵיהּ רִירִי. “וְנוֹתְנִין לִפְנֵי בְּהֵמָה שְׁפִיָּה רָעָה” – בְּפָרָה,

Rav Hisda said: This dispute is with regard to a trough^H formed in the ground; however, with regard to a trough which is a vessel, everyone agrees that it is permitted. The Gemara expresses surprise: Is there anyone who permits doing so in a trough formed in the ground? Isn't one leveling holes and thereby performing the prohibited labors of building or plowing? Rather, if it was stated, it was stated as follows: Rav Hisda said: This dispute applies only to a trough that is a vessel; however, with regard to a trough formed in the ground, everyone agrees that it is prohibited, due to the concern lest one level holes.

We also learned in the mishna: One may take hay from before this animal and place it before that animal. It was taught in one *baraita*: One may take hay from before an animal whose mouth is fine and place it before an animal whose mouth is foul. And it was taught in another *baraita*: One may take hay from before an animal whose mouth is foul and place it in front of an animal whose mouth is fine. There is an apparent contradiction between the two *baraitot*.

Abaye said: Both this *baraita* and that *baraita* hold that one may take hay from before a donkey and place it before an ox. However, one may not take hay from before an ox and place it before a donkey. The formulation of the *baraitot* can be explained as follows: That which was taught: One may take hay from before an animal whose mouth is fine,^H is referring to a donkey, and the reason the *baraita* says its mouth is fine is because it has no spittle. Therefore, the donkey does not dampen the remaining hay with its saliva. And the statement: And one may place it before an animal whose mouth is foul, is referring to a cow,

Perek XX

Daf 141 Amud a

Straw that is on top of a bed – הַקֵּשׁ שֶׁעַל גִּבֵּי הַמִּטָּה: If there is straw on a bed, which is presumably set-aside because it might be used for kindling, it is prohibited to move it on Shabbat with one's hands. However, one may move the straw with one's body in an atypical manner. If the straw was prepared as animal food, or if one placed a pillow or a sheet on it before Shabbat, it is not set-aside and one is allowed to shake it off with one's hands (Rambam *Sefer Zemanim, Hilkhot Shabbat* 25:22; *Shulhan Arukh, Orah Hayyim* 311:8).

Laundry press – מַכְבֵּשׁ כְּבִישָׁה: If one's garments were placed in a professional launderer's press after they were washed, it is prohibited to remove them on Shabbat, even for Shabbat use. The press is tightly sealed, and loosening it is similar to disassembling a building. However, if the garments are in a homeowner's press, which is more loosely sealed, it is permissible to loosen the press and remove the clothing on Shabbat (Rambam *Sefer Zemanim, Hilkhot Shabbat* 26:12; *Shulhan Arukh, Orah Hayyim* 302:4).

NOTES

אָבָל – However, one may not press clothing with it on Shabbat: Rashi explains that pressing garments on Shabbat is prohibited because it is considered a weekday activity and it is inappropriate to perform actions of that sort on Shabbat. Other commentaries state that there is a concern that one may forcefully wedge together the components of the press, thereby performing the prohibited labor of building (Rashash).

He may loosen it completely – מֵתִיר אֶת כּוּלּוֹ: A variant reading of the mishna states: He identifies his garments and removes them. In other words, if the launderer's press was already loosened, one who recognizes his articles of clothing may remove them from among the others (see *Meleket Shlomo*).

דְּאֵית לָהּ רִירִי.

וְהָא דְקִתְנִי “נוֹטְלִין מִלִּפְנֵי בְּהֵמָה שְׁפִיָּה רָעָה” – בְּחֲמוֹר דְּלֹא דִיִּיק וְאֵכִיל, “וְנוֹתְנִין לִפְנֵי בְּהֵמָה שְׁפִיָּה יָפָה” – בְּפָרָה דְּדִיִּיקָא וְאֵכִילָהּ.

מִתְנִי' הַקֵּשׁ שֶׁעַל גִּבֵּי הַמִּטָּה – לֹא יִנְעֲנְעֵנּוּ בְּיָדוֹ, אֲלָא מִנְעֲנְעֵנּוּ בְּגּוּפוֹ. וְאִם הָיָה מֵאֲכָל בְּהֵמָה, אוֹ שְׁהִיָּה עָלָיו כֹּר אוֹ סָדִין – מִנְעֲנְעֵנּוּ בְּיָדוֹ.

which has spittle.

And that which was taught in the other *baraita*: One may take hay from before an animal whose mouth is foul, is referring to a donkey. Its mouth is foul because it does not discern between different foods and it eats everything. And the statement: One may place it before an animal whose mouth is fine, is referring to a cow, which discerns between different foods and only then it eats.

MISHNA With regard to straw that is on top of a bed,^H if a person wishes to lie on it, he may not move it with his hand to smooth it, as the straw is set aside for kindling; rather, he may move it with his body. Since moving straw with one's body is not the usual manner, it is permitted. And if the straw was designated as animal food, or a pillow or sheet was on it, which would clearly indicate that the straw was placed on the bed so one could sleep on it, the straw is not considered set-aside, and one may move it even with his hand.

מַכְבֵּשׁ שֶׁל בַּעֲלֵי בֵתִים – מִתִּירִין, אֲבָל לֹא כּוּבְשִׁין. וְשֶׁל כּוּבְשִׁין – לֹא יַעַבּוּ. רַבִּי יְהוּדָה אוֹמֵר: אִם הָיָה מוֹתֵר מִעֲרֹב שַׁבָּת – מֵתִיר אֶת כּוּלּוֹ וְשׁוּמְטוֹ.

A press which belongs to a homeowner, one may loosen it on Shabbat. This press is used to dry and press clothing after laundering. One loosens it to remove clothing from it. However, one may not press clothing with it on Shabbat.^N And in the case of a press that belongs to a launderer,^H which is made specifically for pressing and requires professional expertise for its operation, one may not touch it. Rabbi Yehuda says: If the launderer's press was loosened somewhat on Shabbat eve, he may loosen it completely^N on Shabbat and remove the garment.

גמ' אָמַר רַב נַחֲמָן: הָאִי פּוֹגֵלָא, מְלַמְעָה לְמַטָּה – שְׂרִי, מְלַמְטָה לְמַעְלָה – אָסִיר.

GEMARA With regard to moving items that are set aside, the Gemara cites that which Rav Nahman said: **This radish, which was buried in the earth, if it was buried from top to bottom, with its wide end at the top and its narrow end at the bottom, it is permitted to remove it on Shabbat.** When the radish is buried in that manner, one does not move the earth when he removes the radish. However, if the radish was buried in the earth **from bottom to top, with the wide end at the bottom, it is prohibited.**

אָמַר רַב אַדָּא בַר אַבְבָּא, אָמְרִי בִּי רַב: תַּנִּינָא דְלֹא קָרַב נַחֲמָן יְהִיקָשׁ שְׁעַל גְּבִי הַמַּטָּה – לֹא יִנְעֲנֵנוּ בִידּוֹ, אֲבָל מְנַעֲנֵנוּ בְּגוּפוֹ. וְאִם הִיא מְאָכֵל בְּהֶמְהָ, אוֹ שְׁהִיָּה עָלָיו כִּר אוֹ סָדִין – מְנַעֲנֵנוּ בִידּוֹ. שְׁמַע מִינָּה: טְלָטוּל מִן הָעֵד – לֹא שְׁמִיָּה טְלָטוּל, שְׁמַע מִינָּה.

Rav Adda bar Abba said: **They say in the school of Rav: We already learned in the mishna that the halakha is not in accordance with the opinion of Rav Nahman: With regard to straw on top of a bed, one may not move it with his hand, but he may move it with his body.** And if it is animal food, or a pillow or sheet is on it, he may move it even with his hand. Conclude from here that **moving an item in an atypical manner^h is not considered moving.** The Gemara concludes: Indeed, conclude from here that this is indeed the case.

אָמַר רַב יְהוּדָה: הֵינּי פִּלְפְּלִי מִידֵּק חֲדָא חֲדָא בְּקִתָּא דְסַבִּינָא – שְׂרִי, תִּרְתִּי – אָסִיר. רַבָּא אָמַר: בֵּין דְּמַשְׁגִּי – אֶפִּילוּ טוּבָא נָמִי.

The Gemara cites a somewhat similar case.ⁿ Rav Yehuda said: **In the case of these peppers, crushing them^h one by one with the handle of a knife is permitted.** However, crushing two at a time is prohibited, because it appears to be a prohibited labor. Rava said: **Since he alters the manner in which he performs this activity, even crushing many at a time is also permitted.**

אָמַר רַב יְהוּדָה: מֵאֵן דְּסָחִי בְּמִיָּא – לִינְגִּיב נִפְשִׁיָּה בְּרִישָׁא, וְהָדָר לִיסְלִיק, דִּילְמָא אֲתִי לְאִתּוּי אֲרִבַּע אַמּוֹת בְּכַרְמְלִית.

Rav Yehuda also said: **One who bathes in water should first dry himself immediately upon exiting,^h and then ascend to the coast, lest he come to carry the remaining drops of water on his body four cubits in a karmelit.**

אִי הָכִי, כִּי קָא נְחִית נָמִי, קָא דְחִי כּוֹז אֲרִבַּע אַמּוֹת, וְאָסִיר! כּוֹז בְּכַרְמְלִית לֹא גָזֵר.

The Gemara asks: **If so, if there is a concern about carrying water, there should be concern when one descends into the water as well.** In that case, **his force propels water four cubits into the river, and it should be prohibited.** The Gemara answers: With regard to movement that results from **his force in a karmelit**, the Sages did not issue a decree. Since one does not directly propel the water, but the water moves only as an extension of his motion, and since the river is a *karmelit*, and the prohibition to carry there is only a rabbinic law, the Sages did not issue a decree for one who descends into the water.

אָמַר אַבְיִי וְאִיתִימָא רַב יְהוּדָה: טִיט שְׁעַל גְּבִי רְגְלוֹ מְקַנְחוּ בְּקִרְקַע, וְאִין מְקַנְחוּ בְּכוּתֵל.

In a similar decree, Abaye said, and some say that it was stated by Rav Yehuda: **If one has mud on his foot, he may wipe it^h on the ground on Shabbat, but he may not wipe it on a wall.**

אָמַר רַבָּא: מֵאִי טַעְמָא בְּכוּתֵל לֹא מְשׁוּם דְּמִיתוּי כְּבֻנָּה, הָא בְּנִין חִקְלָאָה הוּא!

Rava said: **What is the reason that he may not wipe it off on a wall? Is it because it appears like building, as he is adding plaster to the wall? That is the building of a field laborer, which is not an actual building.** There is no concern in that case because in adding plaster to that building, one does not perform the prohibited labor of building.

אֵלָא אָמַר רַבָּא: מְקַנְחוּ בְּכוּתֵל, וְאִין מְקַנְחוּ בְּקִרְקַע, דִּילְמָא אֲתִי לְאִשּׁוּיִי גּוּמּוֹת.

Rather, Rava said: **On the contrary, He may wipe it on a wall, but he may not wipe it on the ground.** This is due to the concern lest one come to level holes in the ground while wiping his foot.

אִיתִימָר, מִר בְּרִיָּה דְרַבִּינָא אָמַר: אַחַד זֶה וְאַחַד זֶה אָסִיר, רַב פָּפָא אָמַר: אַחַד זֶה וְאַחַד זֶה – מוֹתָר.

It is stated that other *amora'im* disputed this issue. Mar, son of Ravina, said: **Both this, wiping the mud on a wall, and that, wiping the mud on the ground, are prohibited.** Rav Pappa said: **Both this and that are permitted.**

לְמַר בְּרִיָּה דְרַבִּינָא בְּמִיָּא מְקַנְחִי לִיהָ? מְקַנְחִי לִיהָ בְּקוֹרָה.

The Gemara asks: **According to the opinion of Mar, son of Ravina, with what may he wipe his foot?** The Gemara answers: Even according to his opinion, there is a permitted manner to clean his foot; **he wipes it on a beam on the ground.**

אָמַר רַבָּא: לֹא לִיתֵּיב אִינִישׁ אַפּוּמִיָּה דְלִיחְיָא, דִּילְמָא מִיַּגְדָּרָא לִיהָ חֶפֶץ וְאֲתִי לְאִתּוּי.

Rava said: **A person should not sit on Shabbat right at the entrance to a closed alleyway^h where a side post is placed as a symbolic partition enabling one to carry inside the alleyway.** The reason for this is that **perhaps an object will roll into the public domain and one will come to get it**, as there is no conspicuous demarcation between inside and outside the alleyway.

טְלָטוּל – Moving an item in an atypical manner – **מִן הָעֵד**: Objects that one is prohibited to move on Shabbat are prohibited only if they are moved in their typical manner. Moving these items in an indirect manner is permitted (Rambam *Sefer Zemanim, Hilkhos Shabbat* 25:14–15; *Shulhan Arukh, Oraḥ Hayyim* 311:8).

דִּיכֵת פִּלְפְּלִים – Crushing peppers: One is permitted to crush peppers on Shabbat if they are to be eaten on Shabbat (*Mishna Berura*) and if they are crushed in an unusual manner, even if one crushes a large amount at one time. For instance, one may crush them with the handle of a knife and in a bowl, as opposed to utilizing a mortar and pestle. This ruling is in accordance with the view of Rava (Rambam *Sefer Zemanim, Hilkhos Shabbat* 25:14–15; *Shulhan Arukh, Oraḥ Hayyim* 321:7).

יִצְאָה מִן הַנָּהָר – Emerging from a river: One who bathes in a river on Shabbat (see *Mishna Berura*) must dry off thoroughly when emerging from the water so that no water will remain on his body and be carried four cubits in a *karmelit*. This ruling is in accordance with Rav Yehuda (Rambam *Sefer Zemanim, Hilkhos Shabbat* 15:22; *Shulhan Arukh, Oraḥ Hayyim* 326:7).

יְטִיט שְׁעַל גְּבִי רְגְלוֹ מְקַנְחוּ וכו' – If one has mud on his foot, he may wipe it, etc.: One who has mud on his shoe or on his foot may wipe it off on a wall but not on the ground, due to concern that one might level holes, as stated by Rava. Some authorities prohibit wiping the mud off on a wall and permit only the use of a beam, in accordance with the opinion of Mar, son of Ravina (Rif). Other commentaries even permit the use of the ground, in accordance with Rav Pappa's opinion (Rosh). The later commentaries did not reach a consensus on this issue, although most of them agreed that only a wall should be used. This is the ruling of the *Beit Yosef*, in accordance with the decision of the majority of early commentaries. The *Bah*, however, favored the more stringent approach (Rambam *Sefer Zemanim, Hilkhos Shabbat* 21:2; *Shulhan Arukh, Oraḥ Hayyim* 302:6).

יְשִׁיבָה – Sitting at the entrance to an alleyway: Although the law permits one to utilize and carry under the beam marking the entrance to an alleyway, a person should nonetheless not sit by the edge of the alleyway or by the side post (*Mishna Berura*), lest an object roll out of his hand and he come to retrieve it from the public domain, as stated by Rava (Rambam *Sefer Zemanim, Hilkhos Shabbat* 17:17; *Shulhan Arukh, Oraḥ Hayyim* 365:5).

NOTES

מְהִלָּךְ – The succession of topics in the Gemara – **סוּגִיית הַגְּמָרָא**: The Gemara seems to be presenting a series of unrelated *halakhot*. Nevertheless, the items share several common features. In particular, all the cases involve rabbinic decrees that prohibit actions that could lead to performance of a prohibited labor, although each action in and of itself lacks even the appearance of a prohibition. Some commentaries state that most of these decrees are in accordance with the opinion of Rabbi Yehuda, who holds that an unintentional act is prohibited (*Tosefot Rid*).

HALAKHA

לֹא לִיצֵדֵד אֵינִישׁ בּוֹבָא – A person may not position a barrel – It is prohibited to straighten or tilt a full (*Mishna Berura*) barrel on the ground on Shabbat. Since it is heavy, one will inevitably even out holes in the ground (*Shulḥan Arukh, Oraḥ Ḥayyim* 337:4).

Rags in the mouth of a jug – מוכין בפי כד – It is prohibited to stuff wet (*Mishna Berura*) rags into the mouth of a jug on Shabbat, because one will inevitably squeeze the liquid out of them (*Rambam Sefer Zemanim, Hilkhot Shabbat* 22:15; *Shulḥan Arukh, Oraḥ Ḥayyim* 320:16).

Mortar that is on one's garment – טיט שעל גבי בגדו – If one has mortar on his clothing, he may rub it off from the inside, since it does not have the appearance of laundering. He may not rub it off from the outside. It is also permitted to scrape it off with a fingernail, as that is considered atypical, as per the opinion of Rav Huna. Some authorities explain that this *halakha* applies only to wet mud. However, it is prohibited to rub off dry mud, because that constitutes the prohibited labor of grinding (*Rambam Sefer Zemanim, Hilkhot Shabbat* 22:17; *Shulḥan Arukh, Oraḥ Ḥayyim* 302:7).

NOTES

לֹא לִיצֵדֵד אֵינִישׁ בּוֹבָא – A person may not position a barrel – Some commentaries explain that this means that one should not tip a barrel on its side to pour from it, due to the possibility that the edge of the barrel will dig a hole in the ground. Instead, one should lift the barrel off of the ground and then pour from it (*ge'onim*).

LANGUAGE

Jug [shisha] – שישא – From the Middle Persian *šišag*, meaning bottle or jug.

Perek XX

Daf 141 Amud b

HALAKHA

Scraping off a shoe – גירוד מנעל – It is prohibited to scrape dirt off both a new and an old shoe on Shabbat, with a knife or with a fingernail. Scraping is tantamount to the labor of smoothing the leather, in accordance with the *baraita* taught by Rabbi Ḥiyya. However, one may scrape the dirt off a shoe against a wall (*Magen Avraham; Rambam Sefer Zemanim, Hilkhot Shabbat* 22:18; *Shulḥan Arukh, Oraḥ Ḥayyim* 302:8).

One may not smear oil on one's foot, etc. – וְלֹא יִסּוֹךְ אֶת רַגְלוֹ – It is prohibited to smear oil on one's foot on Shabbat while wearing a new (*Rambam*) shoe or sandal because that approximates tanning. However, it is permitted to smear oil on one's foot and then put on a shoe or smear oil on one's entire body in order to rest on a leather carpet, as long as there is not enough oil to tan the leather and the intention is not to process the leather (*Rambam Sefer Zemanim, Hilkhot Shabbat* 23:10; *Shulḥan Arukh, Oraḥ Ḥayyim* 327:4).

וְאָמַר רַבָּא: לֹא לִיצֵדֵד אֵינִישׁ בּוֹבָא, דִּילְמָא אֲתִי לְאִשּׁוּזִי גּוּמַת.

וְאָמַר רַבָּא: לֹא לִיהֲדוֹק אֵינִישׁ אוֹדְרָא בְּפוּמָא דְּשִׁישָׁא, דִּילְמָא אֲתִי לִידֵי סְחִיטָה.

אָמַר רַב כְּהֵנָא: טִיט שְׁעַל גְּבִי בְּגָדוֹ מְכַסְּכֵסוּ מִבְּפָנִים וְאִין מְכַסְּכֵסוּ מִבְּחוּץ.

מִיתִיבִי: טִיט שְׁעַל גְּבִי מְנַעֵלֵי – מְגִרְרוּ בְּגָב סָבִין, וְשְׁעַל בְּגָדוֹ – מְגִרְרוּ בְּצַפּוֹרָן, וּבְלִבְדָּ שְׁלֹא יִכְסְּכֵס. מֵאִי לָאוּ – שְׁלֹא יִכְסְּכֵס כָּלָל! לֹא, שְׁלֹא יִכְסְּכֵס מִבְּחוּץ, אֲלָא מִבְּפָנִים.

אָמַר רַבִּי אַבְהוּ אָמַר רַבִּי אֶלְעָזָר אָמַר רַבִּי יֵנָאי: מְגִרְרִין מְנַעֵל חֲדָשׁ, אֲבָל לֹא יִשָּׁן.

And Rava also said a similar decree: A person may not position a barrel^{HN} on a dirt floor, lest he come to level holes in the ground while smoothing the surface upon which he is positioning the barrel.

And furthermore, Rava said: A person may not stuff a rag into the mouth of a jug [*shisha*]^{HL} on Shabbat, lest he come to violate the prohibition of squeezing liquid from the cloth.

Rav Kahana said: With regard to mortar that is on one's garment^H on Shabbat, one may rub it off from the inside, but one may not rub it off from the outside, because that is comparable to the prohibited labor of laundering.

The Gemara raises an objection from that which we learned: With regard to mortar that is on one's shoe, he may scrape it off with the back of a knife as a departure from the typical manner of scraping. And mortar which is on one's clothes, he may scrape off with his fingernail, as long as he does not rub it. The Gemara asks: What, is it not saying that he may not rub it at all? The Gemara rejects that premise: No, it is saying that he may not rub it from the outside, rather from the inside.

Rabbi Abbahu said that Rabbi Elazar said that Rabbi Yannai said: One may scrape mud off of a new shoe on Shabbat, but not off of an old shoe, because a layer of the shoe will be removed, which constitutes the prohibited labor of smoothing.

בְּמָה מְגִרְרוּ? אָמַר רַבִּי אַבְהוּ: בְּגָב סָבִין.

אָמַר לִיה הוּא סָבֵא: סָמִי דִּידֵךְ מְקַמִּי הָא דְּתָנִי רַבִּי חֵיָא: אִין מְגִרְרִין לֹא מְנַעֵל חֲדָשׁ וְלֹא מְנַעֵל יִשָּׁן, וְלֹא יִסּוֹךְ אֶת רַגְלוֹ שָׁמֶן וְהוּא בְּתוֹךְ הַמְּנַעֵל אוֹ בְּתוֹךְ הַסַּנְדַּל, אֲבָל סָךְ אֶת רַגְלוֹ שָׁמֶן וּמִנִּיחַ בְּתוֹךְ הַמְּנַעֵל אוֹ בְּתוֹךְ הַסַּנְדַּל. וְסָךְ כָּל גּוּפוֹ שָׁמֶן וּמִתְעַגֵּל עַל גְּבִי קְטַבְלִיא וְאִינוּ חוֹשִׁשׁ.

אָמַר רַב חֲסֵדָא: לֹא שָׁנוּ אֲלָא לְצַחְצָחוּ, אֲבָל לְעִבְדוֹ – אָסוּר.

“לְעִבְדוֹ” פְּשִׁיטָא! וְתוֹ: לְצַחְצָחוּ, מִי אִיכָא מָאן דְּשָׂרִי?

אֲלָא, אִי אִיתֵמַר הָכִי אִיתֵמַר, אָמַר רַב חֲסֵדָא: לֹא שָׁנוּ אֲלָא שִׁיעוּר לְצַחְצָחוּ, אֲבָל שִׁיעוּר לְעִבְדוֹ – אָסוּר.

With what does one scrape it off? Rabbi Abahu said: With the back of a knife, which is a departure from the typical manner of doing so.

A certain Elder said to Rabbi Abbahu: Delete your teaching before this statement taught by Rabbi Ḥiyya: One may not scrape at all; neither a new shoe nor an old shoe,^H and one may not smear oil on one's foot^H while it is inside the shoe or inside the sandal, as the oil is absorbed by the leather of the shoe and strengthens it, which constitutes performance of the prohibited labor of tanning. However, one may smear oil on his foot in the typical manner and place it afterward in a shoe or in a sandal, and he need not be concerned that this oil will enhance the shoe leather. And he may likewise smear oil on his entire body with oil and roll on a leather carpet, and he need not be concerned.

Rav Ḥisda said: They only taught this in a case where he does so in order to polish the carpet. But if he does so to tan the carpet, it is prohibited.

The Gemara raises a difficulty: If he does so to tan the leather, it is obvious that it is prohibited, as tanning is a labor prohibited by Torah law. And furthermore: If he does so in order to polish it, is there an opinion that permits one to perform this act intentionally on Shabbat *ab initio*?

Rather, if it was stated, it was stated as follows: Rav Ḥisda said: They only taught that it is permitted to do so on Shabbat in a case where one smears a measure sufficient only to polish it; however, if one smears a measure sufficient to tan it, it is prohibited, even if he did not intend to tan the leather.

תנו רבנן: לא יצא קטן במנעל גדול, אבל יוצא הוא בחלוק גדול.

The Sages taught in a *baraita*: A small person may not go out in a too large shoe, due to concern lest the shoe fall off and he will come to carry it in the public domain; but he may go out in a too large cloak.^H Even if it does not fit him properly, it will certainly not fall off.

ולא תצא אשה במנעל מרופט, ולא תחלוץ בו. ואם חלצה – חליצתה בשרה.

And a woman may not go out on Shabbat in a shoe that is torn on top,^N lest she be mocked, remove it, and carry it on Shabbat. And a shoe of that kind may not be used to perform *halitza*, as it is not a suitable shoe. *Halitza* is performed by a widow bound in a levirate bond with her brother-in-law. However, if she performed *halitza* with it, her *halitza* is valid, since ultimately it is a shoe.^{HN}

ואין יוצאין במנעל חדש. באיזה מנעל אמרו – במנעל של אשה.

And one may not go out on Shabbat wearing a new shoe,^H due to the concern that it will not fit properly, and then one will remove it and carry it. The Gemara comments: In what case did they say that one may not wear a new shoe? They said this with regard to a woman's shoe, as women are very particular about having their shoes fit properly.

תני בר קפרא: לא שנו אלא שולא יצאה בו שעה אחת מבעוד יום, אבל יצאה בו מערב שבת – מותר.

Bar Kappara taught: They only taught that she may not go out wearing a new shoe on Shabbat if she did not yet go out wearing it for any length of time while it was still day. However, if she went out wearing it on Shabbat eve, at which point she would have ascertained if it fits her, she is permitted to go out wearing it on Shabbat.

תני תדא: שומטין מנעל מעל גבי אימוס, ותניא אידך: אין שומטין! לא קשיא: הא – רבי אליעזר, הא – רבנן.

One *baraita* taught: One may remove a shoe from the shoe-maker's last, the frame on which a shoe is shaped, on Shabbat. And another *baraita* taught the opposite: One may not remove it. The Gemara explains that this is not difficult: This *baraita*, which prohibits doing so, is in accordance with the opinion of Rabbi Eliezer, and that *baraita*, which permits doing so, is in accordance with the opinion of the Rabbis. Rabbi Eliezer and the Rabbis dispute the applicability of the *halakhot* of ritual purity and impurity in a similar case.

דתנן: מנעל שעל גבי אימוס, רבי אליעזר מטהר, וחכמים מטמאים.

As we learned in a mishna: A shoe that remains on a last,^N Rabbi Eliezer deems it pure, i.e., unable to become impure, as in his opinion the shoe is not yet complete, and therefore it is not yet a vessel and cannot become impure. And the Rabbis deem it capable of becoming impure, as in their opinion, the shoe is completed, and any vessel whose work is complete can become ritually impure.^H Correspondingly, the Rabbis, who hold that a shoe on a last is a completed vessel, hold that it may be moved on Shabbat.^H Rabbi Eliezer, who holds that it is an incomplete vessel, holds that it may not be moved.

הניחא לרבא, דאמר: דבר שזמלאכתו לאיסור, בין לצורך גופו בין לצורך מקומו – מותר, שפיר.

The Gemara poses a question: It works out well according to the opinion of Rava, who said: Moving an object whose primary function is for a prohibited use, whether for the purpose of utilizing the object itself to perform a permitted action or for the purpose of utilizing its place, is permitted. It is well understood that one may move the last slightly while removing the shoe, since removing the shoe is considered utilizing the last's place.

אלא לאבוי, דאמר: לצורך גופו – מותר, לצורך מקומו – אסור, מאי אכא למימר?

However, according to Abaye, who said that for the purpose of utilizing the object itself to perform a permitted action, it is permitted; however, for the purpose of utilizing its place, it is prohibited, what can be said? It is prohibited to move the last, which is clearly a utensil whose primary function is for a prohibited use. How is it possible to remove the shoe without moving the last?

הכא במאי עסקינן – ברפוי. דתניא, רבי יהודה אומר: אם היה רפוי – מותר.

The Gemara answers: With what are we dealing here? It is with a shoe placed loosely on the last, so the shoe can be removed without moving the last. As it was taught in a *baraita*: Rabbi Yehuda says: If it was loose, it is permitted.

A small person may not go out in a too large shoe... in a too large cloak – בחלוק גדול... במנעל גדול: It is prohibited to go out on Shabbat wearing a shoe that is too large, because it might fall off and one might come to carry it. However, it is permitted to wear a large cloak, in which case no such concern exists (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 19:15; *Shulḥan Arukh*, *Orah Hayyim* 301:7).

Halitza with a torn shoe – מנעל מרופט בחליצה: *Ab initio*, *halitza* must be performed with a shoe that is whole. Nevertheless, if *halitza* is performed with a torn shoe that is not entirely shredded (*Tosafot*), the *halitza* is valid after the fact. If the shoe is so torn that it cannot be worn, the *halitza* is invalid (Rambam *Sefer Nashim*, *Hilkhot Yibbum VaHalitza* 4:19; *Shulḥan Arukh*, *Even HaEzer* 169:21).

And a woman may not go out in a shoe that is torn on top... wearing a new shoe – במנעל חדש: A woman may not wear a shoe on Shabbat that is torn at the top because she might be mocked, causing her to remove the shoe and carry it. Likewise, she may not go out wearing a new shoe that she has never worn before, because if it does not fit her she might remove it. However, the *halakha* with regard to new shoes does not apply to men, since they are not as particular about those matters (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 19:15; *Shulḥan Arukh*, *Orah Hayyim* 303:13).

The purity of a new shoe – טהרת מנעל חדש: A shoe on a last, although it has never been worn, can contract ritual impurity imparted by treading because it is a completed vessel. This ruling is in accordance with the opinion of the Rabbis (Rambam *Sefer Tahara*, *Hilkhot Kelim* 24:5).

Removing a shoe from a last – מנעל מעל אימוס: It is permitted to remove a new shoe or an old one (*Mishna Berura*) from a last on Shabbat, since the last is considered a utensil, albeit one whose primary function is prohibited. This ruling is in accordance with the opinion of the Rabbis. One may likewise cause the last to fall away from the shoe (*Mishna Berura*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:12; *Shulḥan Arukh*, *Orah Hayyim* 308:14).

NOTES

A shoe that is torn on top [*meruppat*] – מנעל מרופט: Some commentaries explain that *meruppat* means that the shoe is too large, so the foot does not fit snugly in the shoe.

Halitza with a shoe – חליצה במנעל: The tradition observed by the Sages is that the shoe with which *halitza* is performed must be suitable to be worn by the brother-in-law. If the shoe is torn on top, the concern is that it might not be suitable for wearing. Some explain that a shoe which is completely torn is invalid for *halitza*, even after the fact (*Tosafot*).

A shoe that remains on a last – מנעל שעל גבי אימוס: According to the *Tosefta* in tractate *Teharot*, Rabbi Eliezer and the Rabbis disagree whether or not a shoe, which is a cover that protects the last, is considered a vessel.

טַעֲמָא - דְּרַפּוּי, הָא לֹא רַפּוּי - לֹא.
הַנִּחָא לְאַבְי, דְּאָמַר: דְּבַר שְׂמֵלֵאכְתּוּ
לְאַיְסוּר, לְצוּרְךָ גּוּפּוֹ - מוֹתֵר, לְצוּרְךָ
מְקוֹמוֹ - אָסוּר, שְׂפִיר.

The Gemara infers: **The reason** it is permitted is only **because it is loose**; however, if it is **not loose**, no, it is prohibited. **It works out well according to** the opinion of Abaye, who said that moving an object whose primary function is for a prohibited use for the purpose of utilizing the object itself to perform a permitted action it is permitted; however, for the purpose of utilizing its place, it is prohibited to move it. **It is well understood** that it is prohibited to move the last if the shoe is tightly attached to it.

אֵלֹא לְרַבָּא, דְּאָמַר: בֵּין לְצוּרְךָ גּוּפּוֹ
בֵּין לְצוּרְךָ מְקוֹמוֹ - מוֹתֵר, מֵאִי
אִירֵיא רַפּוּי? אֶפְיֻלוּ לֹא רַפּוּי נְמִי!

However, according to Rava, who said that moving an object whose primary function is for a prohibited use, whether for the purpose of utilizing the object itself to perform a permitted action or for the purpose of utilizing its place, is permitted, why discuss specifically a case where it is loose? **Even if it were not loose**, it should also be permitted to move it.

דְּרַבִּי יְהוּדָה מְשׁוּם דְּרַבִּי אֱלִיעֶזֶר
הוּא; דְּתַנָּא, רַבִּי יְהוּדָה אָמַר מְשׁוּם
רַבִּי אֱלִיעֶזֶר: אִם הָיָה רַפּוּי - מוֹתֵר.

The Gemara answers: That *baraita* is the opinion of Rabbi Yehuda in the name of Rabbi Eliezer, and it is not a clarification of the opinion of the Rabbis. Although Rabbi Eliezer holds that the shoe is not yet completed, nevertheless, Rabbi Yehuda says in the name of Rabbi Eliezer that it is permitted to carry it. **As it was taught in a baraita: Rabbi Yehuda says in the name of Rabbi Eliezer: If it was already loose and no longer requires a last, it is permitted to move it**, since it is a completed vessel and no longer needs the last to shape it.

הדרן עלך תולין

Summary of **Perek XX**

This chapter did not come to final halakhic conclusions about the topics it addressed, each of which will be discussed further in the tractate. The discussion regarding building on Shabbat clarified that there is a distinction between building a permanent structure, which constitutes the prohibited labor of building, and building a temporary structure, which is not prohibited by Torah law. However, the Sages issued several decrees regarding the construction of temporary structures and created many distinctions regarding what is permitted or prohibited in the construction of these structures. There are no absolute guidelines, and each case must be analyzed separately.

The discussion regarding food preparation on Shabbat also did not arrive at firm conclusions with regard to the full range of relevant topics. The general principle of food preparation on Shabbat is that an item that is already edible may be added to and improved for human consumption, provided one does not violate any full-fledged prohibited labor. Although the chapter also discussed guidelines for preparing animal feed, this topic will be fully explained only in Chapter Twenty-four.

Introduction to **Perek XXI**

This chapter, too, deals with the laws of set-aside [*muktze*], items that are set aside and may not be handled on Shabbat, though from a fresh perspective. Here, too, the discussion is not about different items that are set aside, but about particular categories of items that all agree may not be moved on Shabbat because they are not utensils and are not fit to be handled. It was clear to the Sages that such items may not be handled directly; the discussion in this chapter primarily addresses the question of whether it is permitted to move these types of set-aside items, and set-aside items generally, through another object or for the sake of something else. In order to do this, it is necessary to clarify somewhat the scope of the concept of a base for a forbidden article. This refers to a utensil upon which a set-aside item rests; the utensil which serves as the base may not be handled, just as though it itself were set-aside. It is necessary to explain the circumstances in which it is permitted to remove the set-aside object in order to use the items that lie underneath or which are connected to it in some other way. The details of this *halakha* form the content of this chapter.

מתני' נוטל אדם את בנו והאבן בידו, וכלפלה והאבן בתוכה. ומטלטלין תרומה טמאה עם השחרה ועם החולין.

רבי יהודה אומר: אף מעלין את המדומע באחד ומאה.

גמ' אמר רבא: הוציא תינוק חי וכיס תלוי בצוארו – חייב משום כיס. תינוק מת וכיס תלוי לו בצוארו – פטור.

"תינוק חי וכיס תלוי לו בצוארו – חייב משום כיס" וליחייב נמי משום תינוק!

רבא ברבי נתן סבירא ליה, דאמר: חי נושא את עצמו.

ולפטור כס לגבי תינוק, מי לא תנן: אף החי במטה פטור אף על המטה, שהמטה טפילה לו!

מטה לגבי חי – מבטלי ליה, כס לגבי תינוק – לא מבטלי ליה.

"תינוק מת וכיס תלוי לו בצוארו – פטור" וליחייב משום תינוק! רבא ברבי שמעון סבירא ליה, דאמר: כל מלאכה שאין צריך לגופה – פטור עליה.

MISHNA A person may take his son in his hands on Shabbat, and even though there is a stone, which is a set-aside item, in the child's hand,^H it is not prohibited to pick up the child. And it is permissible to take a basket with a stone inside it on Shabbat. And one may move ritually impure *teruma*, which may not be eaten and is set-aside, with ritually pure *teruma*, as well as with non-sacred produce.

Rabbi Yehuda says: One may even lift a measure of *teruma* that was nullified from a mixture^N of one hundred measures of non-sacred produce and one measure of *teruma*. When a measure of *teruma* is mixed with non-sacred produce, if the non-sacred produce is one hundred times the measure of *teruma*, the *teruma* is nullified. However, the Sages instituted that one must remove an amount equivalent to that measure of *teruma* and give it to a priest. The remainder is considered non-sacred produce. Rabbi Yehuda permits removing that measure on Shabbat to render the mixture permitted to eat.

GEMARA Rava said: If one carried out a living baby to the public domain on Shabbat, and the baby had a purse that was hanging around his neck,^H he is liable for carrying out the purse. However, one who carried out a dead baby, with a purse hanging around his neck, is exempt.

Rava said: If one carried out a living baby to the public domain on Shabbat, and a purse was hanging around the baby's neck, he is liable for carrying out the purse. The Gemara asks: And let him be liable for carrying out the baby as well.

The Gemara responds: Rava holds in accordance with the opinion of Rabbi Natan,^N who said: A living being carries itself. Therefore, one who carries a living being from one domain to another is not liable.

The Gemara asks: And let the purse be negated relative to the baby; and he should be exempt for carrying out the purse as well. Didn't we learn in a mishna: One who carries out a living person on a bed is exempt even for carrying out the bed, because the bed is secondary to the person? The same should be said with regard to the purse, relative to the baby.

The Gemara answers: In a case where a bed is relative to a living being, the living being negates it, as the bed is needed to carry the person and is secondary to him. However, in a case where a purse is relative to a baby, the baby does not negate it, since it is independently significant.

And Rava said: One who carried out a dead baby with a purse hanging around the baby's neck is exempt. The Gemara asks: And let him be liable for carrying out the baby. The Gemara answers: Rava holds in accordance with the opinion of Rabbi Shimon, who said: With regard to any labor that is not needed for its own sake, one is exempt for performing it on Shabbat. One who carries out a corpse does not do so because he needs it; rather, he does so for the sake of the corpse, i.e., to bury it or to move it from a degrading place. Therefore, he has not performed a labor prohibited by Torah law. Similarly, he is also exempt for carrying out the purse because due to his distress and mourning he negates the purse, as it is insignificant relative to the baby.

HALAKHA

A child holding a set-aside item in his hand – תינוק המחזיק מוקצה בידו – On Shabbat, if a child longs for his father to lift him, it is permitted for the father to lift the child even if he is holding a stone in his hand (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 25:16; *Shulhan Arukh, Oraḥ Ḥayyim* 309:1).

A baby with a purse hanging around his neck – תינוק וכיס תלוי בצוארו – One who carries a living baby with a purse hanging around his neck on Shabbat is liable for carrying the purse, since the purse is not secondary to the baby (Rambam *Sefer Zemanim, Hilkhhot Shabbat* 18:17).

NOTES

One may lift from a mixture – מעלין את המדומע: Nullification is an important concept in the *halakhot* governing mixtures of prohibited and permitted foods. In principle, when a portion of prohibited food is mixed together with a larger amount of permitted food, the prohibited food is nullified by the permitted food. The proportion of permitted food to prohibited food necessary for nullification varies based on the nature of the mixture and the prohibition.

For example, one hundred units of permitted grain are required to nullify one unit of *teruma*. If the ratio in the mixture is less than that, the entire mixture assumes the legal status of *teruma* and may be eaten only by a priest. In either case, the Sages require that one unit be removed from the mixture and given to a priest as *teruma*.

That is done in order to prevent the priests from incurring financial loss; otherwise, they would lose the rights to the *teruma* in the mixture.

Rava holds in accordance with the opinion of Rabbi Natan – רבא – רבא ברבי נתן סבירא ליה: Rava himself is of the opinion that everyone agrees with Rabbi Natan that a living being carries itself. However, since this is not explicitly stated, the Gemara presents Rava's opinion simply as being in accordance with the opinion of Rabbi Natan (Rabbeinu Aharon HaLevi). Alternatively, the Rabbis only concede to Rabbi Natan with regard to a baby able to walk. Here, the Gemara is also referring to an infant who cannot yet walk (Rashba).

NOTES

Who has longings – **שׁוֹשׁ לוֹ גִּיעָוָעִין**: Some commentaries explain that the baby longs for the stone and would cry if his father would take it from him. Therefore, the Sages permit the father to carry both of them (*Tosefot Rid*).

תָּנן: נוֹטֵל אָדָם אֶת בְּנוֹ וְהָאֶבֶן בְּיָדוֹ.
אָמַר רַבִּי יֵנָאי: בְּתִינוּק שׁוֹשׁ לוֹ
גִּיעָוָעִין עַל אָבִיו.

We learned in the mishna: **A person may take his son in his hands on Shabbat; and this is permitted even though there is a stone in the child's hand.** As it can be inferred from this mishna that the stone is negated relative to the child, why, then, is he liable in the case of a purse hanging around a live baby's neck? Let the purse be negated relative to the baby. The Sages of the school of Rabbi Yannai say: You cannot infer from this mishna that the stone is negated and therefore it is permitted to move it. Rather, the mishna is referring to a baby who has longings^N for his father. It is permitted for the father to move the stone because if the father does not lift him, the baby might take ill.

אי הכי, The Gemara asks: If so,

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NOTES

Even a dinar as well – **אֶפִּילוּ דִּינָר נָמִי**: Rashi ruled stringently that one may not even hold the hand of a baby who is carrying money. The Ramban explains that the Sages issued a decree prohibiting only lifting the baby, lest he come to lift the dinar with his own hands.

The basket should be a base for a prohibited object – **תִּהְיֶה בִּלְבָלָהּ בְּסִיס לְדָבָר הָאָסוּר**: Some commentaries explained that this *halakha* is not based on the *halakhot* of a base for a prohibited object because those do not apply in a case where one forgets and misplaces the prohibited object on the base. Therefore, it is a misnomer to use the term: A base for a prohibited object. Rather, the Gemara asks why one needs to move the stone at all (*Tosefot Rid*). Others explained that the Gemara is referring to all cases involving baskets, including one where a stone is purposely placed in the basket. Furthermore, even in a case where one forgot the stone in the basket, the Sages only permitted carrying the basket in an unusual manner (*Me'iri*).

HALAKHA

A basket of fruit with a stone inside it – **בִּלְבָלָת פִּירֹת**: On Shabbat, if a basket full of fruit has a stone inside it, and the fruit will be ruined if spilled on the ground, as is the case with figs or grapes, one may lift and carry the basket with the fruit and the stone in it. However, if the fruit will not be ruined if spilled on the ground, one spills the fruit and the stone out of the basket, replaces the fruit and carries the basket (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:16; *Shulhan Arukh*, *Orah Hayyim* 309:3).

And let him... take the fruits in his hands – **וְיִנְקְטֵנָהוּ**: On Shabbat, when fruits lie scattered in a courtyard, one may not gather them into a basket as one would do during the week. Rather, one should lift a few at a time and eat them (*Shulhan Arukh*, *Orah Hayyim* 335:5).

A broken basket – **בִּלְבָלָהּ פְּחוּתָה**: A basket with a hole sealed by a stone may be carried on Shabbat, because the stone is part of the side of the basket (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:16; *Shulhan Arukh*, *Orah Hayyim* 335:2).

מֵאִי אִירִיא אֶבֶן, אֶפִּילוּ דִּינָר נָמִי!
אֲלֵמָה אָמַר רַבָּא: לֹא שָׁנוּ אֶלָּא אֶבֶן,
אֲבָל דִּינָר – אָסוּר! אֶבֶן, אִי נִפְלָה
לָהּ – לֹא אֲתִי אָבוּהָ לְאִיתוּי דִּינָר,
אִי נָפִיל – אֲתִי אָבוּהָ לְאִיתוּי.

תֵּנִיָּא בְּוִתִּיָּה דְרַבָּא: הַמוֹצִיא בְּלִי
מְקוּפָּלִים וּמוֹנְחִים עַל בְּתָפוֹ, וְסַנְדָּלָיו
וְטַבְּעוֹתָיו בְּיָדוֹ – חַיִּיב. וְאִם הָיָה
מְלֻבָּשׁ בָּהֶן פֶּטוּר.

הַמוֹצִיא אָדָם וְכֻלְיוֹ עֲלָיו, וְסַנְדָּלָיו
בְּרַגְלָיו, וְטַבְּעוֹתָיו בְּיָדָיו – פֶּטוּר.
וְאִילוּ הוֹצִיָּאן בְּמוֹת שֶׁהֵן – חַיִּיב.

”בִּלְבָלָהּ וְהָאֶבֶן בְּתוֹכָהּ”. וְאִמַּאי?
תִּהְיֶה בִּלְבָלָהּ בְּסִיס לְדָבָר הָאָסוּר!
אָמַר רַבָּה בַּר בַּר חֲנָה אָמַר רַבִּי
יֹחָנָן: הֵכָא בִּלְבָלָהּ מִלֵּאָה פִּירֹת
עֲסָקִינָן. וְלִישְׁדִּינָהוּ לְפִירֵי, וְנִישְׁדִּי
לְאֶבֶן, וְנִנְקְטֵנָהוּ בְּיָדֵים! כְּדָרְבִּי
אֲלֵעִי אָמַר רַב: בְּפִירֹת הַמֵּיטְנָפִין,
הֵכָא נָמִי – בְּפִירֹת הַמֵּיטְנָפִין –

וְלִנְעִירָנָהוּ נְעוּרֵי! אָמַר רַב חִיָּיא
בַּר אֲשִׁי אָמַר רַבָּא: הֵכָא בִּלְבָלָהּ
פְּחוּתָה עֲסָקִינָן. דְּאֶבֶן גּוֹפָה נַעֲשִׂית
דּוֹפֵן לְבִלְבָלָהּ.

why does the mishna refer specifically to moving a stone? The same should hold true even for a dinar, as well.^N Why, then, did Rava say: They only taught this in a case where the child has a stone in his hand; however, if the child has a dinar in his hand, it is prohibited to lift the child? The Gemara answers: Actually, lifting the child with a dinar should also be permitted. However, the Sages issued a decree prohibiting lifting the child with a dinar because with regard to a stone, if it falls, his father will not come to bring it. However, with regard to a dinar, if it falls, his father will come to bring it.

It was taught in a *baraita* in accordance with the opinion of Rava: On Shabbat, one who carries out his clothes to the public domain while they are folded and placed on his shoulder, and his sandals on his feet and his rings in his hand, not on his fingers, is liable. And if he was wearing them, he is exempt for all of them, as they are negated relative to him.

One who carries out a person with his garments on him, and his sandals on his feet, and his rings on the fingers of his hands, i.e., wearing all of his clothes and jewelry in the typical manner, is exempt, whereas if he carried them out as they are, i.e., the person was holding his clothes in his hands, he is liable for carrying out the clothes, just as Rava said.

We learned in the mishna: And it is permissible to take a basket with a stone inside it on Shabbat. The Gemara asks: And why may he do so? The basket should be a base for a prohibited object,^N and a base for a prohibited object is set-aside and may not be moved on Shabbat. Rabba bar bar Hana said that Rabbi Yohanan said: Here, we are dealing with a basket full of fruit.^H The basket is a base for permitted items as well, not only a base for the stone. The Gemara asks: Why may he move the basket and the stone? There is an alternative. And let him throw the fruit and throw the stone out of the basket, and take the fruit in his hands,^H and there will be no need to move the stone. The Gemara answers: As Rabbi Elai said that Rav said in a different context: It is referring to fruits that become soiled and ruined. Here, too, it is referring to fruits that become soiled and ruined if he throws them down.

The Gemara asks a question: And let him shake them until the stone is on one side of the basket, enabling him to throw the stone out of the basket. Rav Hiyya bar Ashi said that Rava said: Here, we are dealing with a broken basket^H with a hole, in which the stone serves as a side of the basket by sealing the hole. Therefore, he cannot throw it out of the basket.

Moving teruma – טלול תרומה – It is permitted for an Israelite to carry *teruma* on Shabbat, even though it is prohibited for him to eat it. In addition, ritually impure *teruma*, which may not be eaten, may be carried together with pure *teruma* if the following conditions are met: (1) Both the impure and the pure *teruma* are in the same vessel; (2) the pure produce is beneath the impure produce; (3) the fruit will be ruined when spilled on the ground, as is the case with figs or grapes, rendering moot the option of spilling the contents of the vessel and replacing only the pure *teruma*. However, in a situation where the produce will not be ruined when spilled on the ground, one empties the vessel and replaces the permitted produce, in accordance with the opinions of Rav Hisha and Rabbi Elai (Rambam *Sefer Zemanim, Hilkhot Shabbat* 25:20).

"מטלטלין תרומה וכו'". אמר רב חסדא: לא שנו אלא שטהורה למטה וטמאה למעלה, אבל טהורה למעלה וטמאה למטה – שקיל ליה לטהורה ושביק ליה לטמאה.

We learned in the mishna: **And one may move ritually impure *teruma*^H with ritually pure *teruma*. Rav Hisha said: They only taught this in a case where the pure *teruma* is on the bottom and the impure *teruma* is on the top.** In that case, if one wants to reach the pure *teruma*, there is no alternative to taking the impure *teruma* as well. **However, if the pure *teruma* is on the top and the impure *teruma* is on the bottom, he takes the pure *teruma* and leaves the impure *teruma*.**

וכי טהורה למטה נמי, לישדינהו ולינקטינהו! אמר רבי אלעי אמר רב: בפירות המיטנפין עסקין.

The Gemara asks a question: **And when the pure *teruma* is on the bottom too, let him throw the impure fruit, and take the pure fruit. Rabbi Elai said that Rav said:** It is referring to fruits that become soiled and ruined, which cannot be thrown from the basket.

מיתבי: "מטלטלין תרומה טמאה עם הטהורה ועם החולין, בין שטהורה למעלה וטמאה למטה, בין שטמאה למעלה וטהורה למטה" תיובתא דרב חסדא!

The Gemara raises an objection to the statement of Rav Hisha: **One may move impure *teruma* with the pure *teruma* and with the non-sacred produce, whether the pure is on the top and the impure is on the bottom, or whether the impure is on the top and the pure is on the bottom.** This is a conclusive refutation of the statement of Rav Hisha.

אמר לך רב חסדא: מתניתין – לצורך גופו, ברייתא – לצורך מקומו.

The Gemara answers that Rav Hisha could have said to you: **The mishna, which, according to Rav Hisha, permits moving the impure *teruma* with the pure *teruma* only when the pure *teruma* is on top, is referring to a case where he needs the basket for the purpose of utilizing the object itself, i.e., he wants to eat the fruit. The *baraita* is referring to a case where he needs the basket for the purpose of utilizing its place, i.e., he wants to move the basket in order to vacate its place, in which case he may move it even if it contains impure *teruma* exclusively.**

מאי דחזיקה דרב חסדא לאוקמי מתניתין לצורך גופו?

The Gemara asks: **What impelled Rav Hisha to establish the mishna as referring specifically to a case where he needs the basket for the purpose of utilizing the object itself?** Why can't he explain the mishna as referring to any case?

אמר רבא: מתניתין כוותיה דייקא, דקתי סיפא: מעות שעל הכר – מנער את הכר והן נופלות. ואמר רבה בר בר חנה אמר רבי יוחנן: לא שנו אלא לצורך גופו, אבל לצורך מקומו – מטלטלו ועודן עליו. ומדיסיפא לצורך גופו – רישא נמי לצורך גופו.

Rava said: **The mishna is precise in accordance with the opinion of Rav Hisha, as it is taught in the latter clause, the next mishna: With regard to coins that are on a cushion, he shakes the cushion and the coins fall. And Rabba bar bar Hana said that Rabbi Yohanan said: They only taught that he may shake the cushion in a case where it is for the purpose of utilizing the cushion itself. However, if he needs it for the purpose of utilizing its place, he may move it, even though the coins are still on it. And from the fact that the latter clause of the mishna is referring to a case where he needs the cushion for the purpose of utilizing the cushion itself, the first clause, too, is referring to a case where he needs the basket for the purpose of utilizing the basket itself.**

"רבי יהודה אומר אף מעלין וכו'". ואמאי? הא קא מתקן!

We learned in the mishna that **Rabbi Yehuda says: One may even lift a measure of *teruma* that was nullified from a mixture of one hundred measures of non-sacred produce and one measure of *teruma*.** The Gemara asks: **And why is it permitted? Isn't he rendering the produce fit for consumption?** The Sages issued a decree prohibiting the performance of any action that renders an item fit for use on Shabbat.

רבי יהודה כרבי אליעזר סבירא ליה, דאמר: תרומה בעינא מחתא.

The Gemara answers: **Rabbi Yehuda holds in accordance with the opinion of Rabbi Eliezer, who said: *Teruma* is considered as if it is placed in its pure unadulterated state.** By lifting the measure of *teruma*, one does not render the rest of the mixture fit for consumption. It is considered as if the measure of *teruma* never intermingled with the rest of the produce and the measure that he lifted from the produce is the measure that fell into the produce.

דתנן: סאה תרומה שנפלה לפחות ממאה נדמעו, ונפל מן המדומע למקום אחר. רבי אליעזר אומר: מדמעת בתרומת ודאי.

As we learned in a mishna: **A *se'a* of *teruma* that fell into less than one hundred *se'a* of non-sacred produce causes it to become a prohibited mixture.** The *teruma* is not nullified by the non-sacred produce. **And then, if a *se'a* from the mixture fell into a different place with non-sacred produce, Rabbi Eliezer says: The *se'a* from the original mixture renders it a prohibited mixture in the same way that definite *teruma* would.** This is due to the concern that the same *se'a* of *teruma* that fell into the first mixture never intermingled with the produce and subsequently fell into the second mixture. Therefore, it requires nullification like unadulterated *teruma*.

וְחֻכְמִים אוֹמְרִים: אֵין הַמְדוּמָּע
מִדְּמַע אֶלָּא לְפִי חֶשְׁבוֹן.

אִימַר דְּשִׁמְעַת לִיה לְחוּמְרָא, לְקוּלָּא
מִי שִׁמְעַת לִיה?

אֶלָּא הוּא דְאָמַר כְּרַבִּי שְׁמַעוֹן,
כְּדִתְנִן: סָאָה תְרוּמָה שֶׁנִּפְלָה לְמֶאָה,
וְלֹא הִסְפִּיק לְהַגְבִּיָּה עַד שֶׁנִּפְלָה
אַחֶרֶת – הֲרִי זֶה אֶסוּרָה. וְרַבִּי שְׁמַעוֹן
מֵתִיר.

וּמִמָּאִי? דִּילְמָא הֵתֵם בְּהָא קְמִיפְלָגִי;
דְּתַנָּא קְמָא סָבֵר: אִף עַל גַּב דְּנִפְלוּ
בְּזֶה אַחֵר זֶה – בְּמֵאן דְּנִפְל בְּבֵית
אַחַת דְּמִי, וְהָא לְחִמְשִׁין נִפְלָה, וְהָא
לְחִמְשִׁין נִפְלָה. וְרַבִּי שְׁמַעוֹן סָבֵר:
קְמִייתָא בְּטִיל בְּמֶאָה, וְהָא תִּיבְטִיל
בְּמֶאָה וְחַד!

אֶלָּא, הוּא דְאָמַר כְּרַבִּי שְׁמַעוֹן בֶּן
אֶלְעָזָר. דְּתַנָּא, רַבִּי שְׁמַעוֹן בֶּן אֶלְעָזָר
אוֹמַר: נוֹתֵן עֵינָיו בְּצֶד זֶה וְאוֹכֵל מִצֶּד
אַחֵר.

וּמִי סָבֵר לִיה בְּוִיתִיה?

And the Rabbis say: The *se'a* from the original prohibited mixture only renders the second one a prohibited mixture according to the proportion of *teruma* in the entire mixture. In other words, the percentage of *teruma* in each *se'a* of the original mixture is representative of the percentage of *teruma* in the entire mixture. Only that measure of *teruma* need be nullified. Rabbi Eliezer's opinion that the *teruma* in the mixture is not considered mixed, and it is considered as if it was placed in its pure unadulterated state, corresponds to Rabbi Yehuda's opinion that by lifting the measure of *teruma*, one does not render the rest of the mixture fit for consumption.

The Gemara rejects this: **Say that you heard** that Rabbi Eliezer expresses his opinion in this matter **to rule stringently. Did you hear him express his opinion to rule leniently?** He expressed concern lest the fallen *teruma* might not have intermingled with the non-sacred produce in the first mixture, and therefore, the second mixture is prohibited. However, he does not consider this a certainty.

Rather, Rabbi Yehuda stated his *halakha* in accordance with the opinion of Rabbi Shimon, as we learned in a mishna: If a *se'a* of *teruma* fell into one hundred *se'a* of non-sacred produce, and he did not manage to lift that *se'a* from the mixture until another *se'a* of *teruma* fell into the mixture, this entire mixture is prohibited. This is because two *se'a* of *teruma* are mixed with one hundred *se'a* of non-sacred produce. And Rabbi Shimon permits the mixture. Rabbi Shimon holds that the first *se'a* that fell into the produce is not mixed with it; it is placed in its unadulterated state. When the second *se'a* falls, it is also placed in its unadulterated state, and the two *se'a* do not join together.

The Gemara rejects this comparison: **And from what** does that conclusion ensue? Perhaps there, they are disagreeing with regard to this: That the first *tanna* holds: Even though two *se'a* of *teruma* fell one after another, it is as though they fell at once, and this *se'a* of *teruma* fell into fifty *se'a* of non-sacred produce, and this *se'a* of *teruma* fell into fifty *se'a* of non-sacred produce, which are insufficient to nullify *teruma*. And Rabbi Shimon holds: The first *se'a* was nullified immediately when it fell into one hundred *se'a*, and this *se'a* will be nullified in one hundred and one *se'a*. There is no connection between this dispute and the opinion that by lifting the measure of *teruma*, one does not render the rest of the mixture fit for consumption.

Rather, Rabbi Yehuda stated his *halakha* in accordance with the opinion of Rabbi Shimon ben Elazar. As it was taught in a *baraita* that Rabbi Shimon ben Elazar says: One need not lift a *se'a* from the mixture in order to render it permitted to eat. It is sufficient if he casts his eyes on this side of the mixture and decides to separate a *se'a* from the produce on that side, and he eats from a different side of the mixture and physically separates the *se'a* later. Lifting a *se'a* from the mixture does not render the mixture fit for consumption, as it is permitted to partake from the mixture even without removing a *se'a*. That is the rationale for Rabbi Yehuda's opinion.

The Gemara asks: **And does Rabbi Yehuda hold in accordance with the opinion of Rabbi Shimon ben Elazar?**

Doesn't he disagree with him? As it was taught in a *baraita* that Rabbi Yehuda says: One may lift a measure of *teruma* that was nullified from a mixture of one hundred measures of non-sacred produce and one measure of *teruma*.^N Rabbi Shimon ben Elazar says: One casts his eyes on this side of the mixture and decides to separate a *se'a* from the produce on that side, and he eats from a different side of the mixture.

NOTES

Opinions with regard to lifting from a mixture of *teruma* – שְׁטוּת בְּהֶעֱלָאת הַמְדוּמָּע: The Gemara concludes that both Rabbi Yehuda and Rabbi Shimon ben Elazar agree that there is no need to actually remove a portion from the mixture. The ques-

tion is: With regard to what do they disagree? According to some commentaries, Rabbi Shimon ben Elazar permits looking to one side and eating from the other. However, he believes that one may not take remedial action and separate part of the

produce. Rabbi Yehuda, however, holds that removing part of the produce is not a remedial action, as eating the mixture is permitted without it. Therefore, removing part of the produce is permitted on Shabbat (*Tosefot Rid*).

דְּרָבִי יְהוּדָה עֲדִיפָא מִדְּרָבִי שְׁמַעוֹן בֶּן אֶלְעָזָר.

The Gemara rejects this: Fundamentally, the two *tanna'im* agree, but the opinion of Rabbi Yehuda is more far-reaching than the opinion of Rabbi Shimon ben Elazar. Rabbi Yehuda says that since thought is sufficient, lifting the *se'a* does not render the produce fit for consumption, and it is preferable if he lifts the *se'a* even on Shabbat.

מתני' האבן שעל פי החבית – מטשה על צדה והיא נופלת. היתה בין החביות – מגביה, ומטשה על צדה והיא נופלת.

MISHNA With regard to a stone, which is set-aside on Shabbat and may not be moved, that was placed on the mouth of a barrel, one tilts the barrel on its side, and the stone falls. If the barrel was among other barrels, and the other barrels might break if the stone falls on them, he lifts the barrel to distance it from the other barrels, and then tilts it on its side, and the stone falls.

מעוות שעל הכר – מניער את הכר והן נופלות. היתה עליו לשלשית – מקנחה בסמרטוט, היתה של עור – נותנין עליה מים עד שתכלה.

With regard to coins that are on a cushion,^h he shakes the cushion and the coins fall. If there was bird dung (*Arukh*) on the cushion,^h he wipes it with a rag, but he may not wash it with water due because of the prohibition against laundering. If the cushion was made of leather, and laundering is not a concern, he places water on it until the bird dung ceases.

גמ' אמר רב הונא אמר רב: לא שנו אלא בשוכת, אבל במנח – נעשה בסים לדבר האסור.

GEMARA Rav Huna said that Rav said: They only taught this *halakha* with regard to a stone in a case where one forgets the stone on the barrel. However, if he places the stone on the barrel, the barrel becomes a base for a prohibited object, which itself may not be moved throughout Shabbat.

[“היתה בין החביות כו”]. מאן תנא דכל היכא דאיכא איסורא והיתרא – בהיתרא טרחינן, באיסורא לא טרחינן?

We learned in the mishna: If the barrel was among other barrels, he lifts the barrel and then tilts it on its side, and the stone falls. The Gemara asks: Who is the *tanna* who holds that any place that there is a prohibited item and a permitted item, we may exert ourselves for the permitted item,^h but we may not exert ourselves for the prohibited item? One must exert himself to lift the barrel, and he may not remove the stone, although doing so would minimize his exertion.

אמר רבה בר בר חנה אמר רבי יוחנן: רבן שמעון בן גמליאל היא. דתנן: הבורר קטנית ביום טוב, בית שמאי אומרים בורר אוכל ואוכל, ובית הלל אומרים: בורר בדרבו בחיקו ובתמחויו.

Rabba bar bar Hana said that Rabbi Yohanan said: It is Rabban Shimon ben Gamliel. As we learned in a mishna: With regard to one who selects legumes on a Festival,^h separating edible and inedible, Beit Shammai say: He selects food and eats it immediately and leaves the waste. And Beit Hillel say: He selects in his usual manner, and may even remove the waste and leave the food, in his lap or in a large vessel.

ותנאי, אמר רבן שמעון בן גמליאל: במה דברים אמורים – שהאוכל מרובה על הפסולת, אבל פסולת מרובה על האוכל – דברי הכל בורר אוכל.

And it was taught in a *baraita* that Rabban Shimon ben Gamliel said: In what case are these matters, the dispute between Beit Shammai and Beit Hillel, stated: In a case where the quantity of the food is greater than the quantity of the waste. However, if the quantity of the waste is greater than the quantity of the food, everyone agrees that one selects the food to avoid the exertion involved in removing the waste, which itself may not be moved. The same is true here. He moves the barrel and not the stone, which is like waste.ⁿ

והא הקא, דכי אוכל מרובה על הפסולת דמי!

The Gemara asks: And here, in the case of the barrel, isn't it comparable to a case where the food is greater than the waste, as the barrel, which is food, is bigger and heavier than the stone. In addition, it is easier to move the stone. Nevertheless, he is not permitted to do so, in accordance with the opinion of Beit Hillel.

הקא נמי, בין דאי בעי למישקל לא משתקיל ליה יין עד דשקיל לה לאבן – כפסולת מרובה על האוכל דמי.

The Gemara answers: Here, too, since if he wants to take the wine, the wine cannot be taken until he removes the stone, the legal status of the stone is like that of waste which is greater in quantity than the food, and it cannot be likened to the case of selecting. In this case, he is unable to move the barrel without moving the stone.

היתה בין החביות מגביה. תנאי, רבי יוסי אומר: היתה החבית מונחת באוצר, או שהיו בלי זכוכית מונחין תחתיה – מגביה למקום אחר, ומטשה על צדה והיא נופלת. ונטל הימנה מה שצריך לו, ומחזירה למקומה.

We learned in the mishna: If the barrel was among other barrels, he lifts the barrel. It was taught in a *baraita*: Rabbi Yosei says: If the barrel was placed in a storeroom amongst other barrels, or if glass vessels were placed beneath it, preventing him from tilting the barrel and letting the stone fall, he lifts the barrel and moves it to a different place, and he tilts it on its side, and the stone falls. And then he takes from the barrel what he needs, and restores the barrel to its place.

A stone on the mouth of a barrel...coins that are on a cushion – מעוות...מקנחה. On Shabbat, in a case where there is a stone on top of a barrel or coins on top of a cushion, one tilts the barrel and lets the stone fall, and similarly, one tilts the cushion and lets the coins fall. However, if the barrel was situated among other barrels and tilting the barrel where it stands is impossible, one may move the barrel with the stone and tilt it elsewhere. This applies only if one forgot the stone on the barrel on Shabbat eve. If one left it there intentionally, it is prohibited, in accordance with Rav's explanation of the mishna (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:17; *Shulhan Arukh*, *Orah Hayyim* 309:4).

היתה עליו לשלשית – הקטנית ביום טוב: It is prohibited to clean a dirty garment with water on Shabbat due to the prohibition of laundering. Rather, one may gently wipe it with a rag, making certain not to squeeze liquid from the rag. If the garment was made of leather, it is permitted to rub it clean with water (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:18; *Shulhan Arukh*, *Orah Hayyim* 302:9).

One who selects legumes on a festival – הבורר: One may select legumes in the typical manner on a Festival, by selecting the waste from the food. However, one may not do so with a vessel designated for this purpose. If the quantity of the waste is greater than the quantity of the food, one selects the food from the waste, unless doing so requires extra exertion. The *halakha* is in accordance with the opinions of Beit Hillel and Rabban Shimon ben Gamliel (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 3:15; *Shulhan Arukh*, *Orah Hayyim* 510:2).

NOTES

We may exert ourselves for the permitted item – בהיתרא טרחינן: This statement, by Rabban Shimon ben Gamliel, can be understood to mean that when the effort required to select the food and the waste is equal, it is preferable to select the food rather than the waste.

חבית פסולת ואוכל – חבית פסולת ואוכל: According to Rashi, who has a variant reading of the Gemara, the explanation is simple. Since in any case one must lift the entire barrel to access the wine, there is no reason to permit first removing the stone alone. With regard to the standard version of the Gemara, there are a number of interpretations suggested by the different commentaries. The essence of these interpretations is that if one would like to access the barrel, he has no choice but to move the stone. Therefore, the stone has the status of waste, as in a case where the quantity of waste is greater than the quantity of food. Consequently, one may not exert himself to move the stone alone (see Ramban and Rashba).

Moving for the purpose of utilizing its place – **טלול לזרז מקומו** – Tilting a barrel to remove a stone or shaking a cushion to remove coins is permitted only in cases where one seeks to utilize the barrel or the cushion itself. However, if he seeks to utilize its place, one may move the barrel with the stone, or the cushion with the coins (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:17; *Shulhan Arukh*, *Orah Hayyim* 309:5).

Moving by means of a loaf or a baby – **טלול על ידי כז או תינוק**: If one must move a corpse to maintain its dignity, or if one seeks to utilize the place that the corpse is lying, he may place a loaf of bread or a baby on the corpse and move it. This applies only to moving a corpse, but not to other set-aside objects that may not be moved (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:21; *Shulhan Arukh*, *Orah Hayyim* 311:5).

NOTES

For the purpose of utilizing its place – **לזרז**: This does not mean that utilizing its place is more significant than utilizing itself. Rather, if one seeks to utilize the cushion itself, he can shake off coins without moving them. If one seeks to utilize its place, however, he must move the coins as well (*Tiferet Shmuel*).

Holds in accordance with the opinion of Rabbi Yehuda – **כרבי יהודה סבירא ליה**: The dispute between Rabbi Yehuda and Rabbi Shimon is with regard to food that was originally designated for consumption by people, but that became spoiled. Rabbi Yehuda deems the food set-aside because it is no longer fit for consumption by people. Therefore, it is prohibited to move it, even for animals. In contrast, Rabbi Shimon holds that there is no prohibition of set-aside, and therefore, it is permitted to move food that is unfit for consumption by people.

LANGUAGE

Saddlebag [*diskaya*] – **דסקיא**: From the Greek *δισάκιον*, *disakion*, which means a double-bag or two bags tied together loaded onto an animal.

“מעות של הכר.” אמר רב חייא בר אשי אמר רב: לא שנו אלא בשוכה, אבל במנחת – נעשה בסיס לדבר האסור.

אמר רבה בר בר חנה אמר רבי יוחנן: לא שנו אלא לצורך גופו, אבל לצורך מקומו – מטלולו ועודן עליו. וכן תני חייא בר רב מדיפת: לא שנו אלא לצורך גופו, אבל לצורך מקומו – מטלולו ועודן עליו.

“מעות של הכר מנער וכו’.” אמר רבי אשי: שכתב ארנקי בחצר – מניח עליה כז או תינוק, ומטלוליה. אמר רב יצחק: שכתב לבינה בחצר – מניח עליה כז או תינוק, ומטלוליה. אמר רבי יהודה בר שילא אמר רבי אסי: פעם אחת שכחו דסקיא מלאה מעות בסרטניא, ובאו ושאלו את רבי יוחנן, ואמר להן: הניחו עליה כז או תינוק וטלוליה.

אמר מר זוטרא: הלכתא ככל הני שמעתתא בשוכה. רב אשי אמר: אפילו שכתב נמי [לא], ולא אמרו כז או תינוק אלא למת בלבד.

אביי מנח כפא אביי. רבא מנח סבינא אבר יונה ומטלוליה. אמר רב יוסף: כמה חריפא שמעתתא דרדקי! אימור דאמור רבנן בשוכה, לכתחילה מי אמור?

אמר אביי: אי לא דאדם חשוב אנא, כפא אביי למא לזי הא חזו למינא עליהו!

אמר רבא: אנא, אי לא דאדם חשוב אנא – סבינא אבר יונה למא לזי הא חזי לי לאומצא!

טעמא – דחזי לאומצא, הא לא חזי לאומצא – לא למימרא דרבא כרבי יהודה סבירא ליה?

והאמר רבא לשמעיה: טוי לי בר אווא, ושדי מיעיה לשונרא!

We learned in the mishna: With regard to coins that are on a cushion, he shakes the cushion and the coins fall. Rav Hiyya bar Ashi said that Rav said: They only taught this *halakha* with regard to a case where one forgets the coins on the cushion; however, if he places the coins on the cushion, the cushion becomes a base for a prohibited object and may not be moved at all.

Rabba bar bar Hana said that Rabbi Yohanan said: They only taught the *halakha* that one shakes the cushion and the coins fall, when he needs the cushion for the purpose of utilizing the cushion itself; but if he needs it for the purpose of utilizing its place,^{HN} he moves the cushion with the coins still on it. And likewise, Hiyya bar Rav from Difti taught in a *baraita*: They only taught the *halakha* that one shakes the cushion and the coins fall, when he needs the cushion for the purpose of utilizing the cushion itself, but if he needs it for the purpose of utilizing its place, he moves the cushion with the coins still on it.

We learned in the mishna: With regard to coins that are on a cushion, he shakes the cushion and the coins fall.

Rabbi Oshaya said: If one forgot a purse of money in the courtyard on Shabbat eve, and he remembers it on Shabbat and wants to bring it into the house, he places a loaf of bread or a baby on it and moves it.⁴ The purse becomes a base for a permitted object and may be moved.

Rav Yitzhak said: If one forgot a brick in the courtyard, he places a loaf of bread or a baby on it and moves it.

Rabbi Yehuda bar Sheila said that Rabbi Asi said: Once, they forgot a saddlebag [*diskaya*]¹ full of coins in a main street, and they came and asked Rabbi Yohanan, and he said to them: Place a loaf or a baby on it, and move it.

Mar Zutra said: The *halakha* is in accordance with all these statements in the case of one who forgets. However, if one intentionally left an object, even a valuable object, on Shabbat eve, he may not employ artifice and move it the following day. Rav Ashi said: If one forgot, he may also not employ artifice, and they only stated that movement by means of a loaf or a baby for the purposes of moving a corpse alone.

The Gemara relates: Abaye would place a spoon on bundles of produce, so that he would be able to move the bundles because of the spoon. Rava would place a knife on a slaughtered young dove and move it. Rav Yosef said mockingly: How sharp is the *halakha* of children? Say that the Sages stated this *halakha* only in a case where one forgets, but did they say that one may do so *ab initio*?

Abaye explained his actions and said: If not for the fact that I am an important person, why would I need to place a spoon on the bundles? Aren't the bundles themselves suited to lean upon? I could have carried the bundles without the spoon.

Similarly, Rava said: If not for the fact that I am an important person, why would I need to place a knife on a young dove? Isn't the young dove itself suited to be eaten as raw meat?

The Gemara asks: The reason that it is permitted to move the slaughtered dove is because it is suited to be eaten by a person as raw meat; but if it is not suited to be eaten by a person as raw meat, no, it may not be moved. Is that to say that Rava holds in accordance with the opinion of Rabbi Yehuda,^N that on Shabbat it is prohibited to move food that was originally designated for human consumption and is now only suited for animal consumption?

Didn't Rava say to his attendant on a Festival: Roast a duck for me, and throw its intestines to the cat. Moving the duck's intestines was permitted in order to feed the cat. Similarly, moving the dove should have been permitted not because it is raw meat fit for consumption by a person, but because it is suited for consumption by a dog.

הָתָם בֵּין דְּמִסְרָה – דַּעֲתִיהָ עִלּוּיָהּ
מֵאֲתָמוֹל.

הָכִי נִמְי מִסֶּתֶר בְּרָא, דְּרָבָא כְּרָבִי יְהוּדָה
סְבִירָא לֵיהּ. דְּדִרְשׁ רָבָא: אִשָּׁה לֹא תִכְנֵס
לְבֵית הָעֵצִים לִישׁוֹל מִהֵן אוֹד, וְאוֹד
שְׁנִשְׁבֵּר – אִסּוּר לְהִסְקוֹ בְּיוֹם טוֹב, לְפִי
שְׁמִסְקִין בְּכָלִים וְאִין מִסְקִין בְּשִׁבְרִי
כָּלִים. שְׁמַע מִנָּה.

מִתְנִי בֵּית שְׁמַאי אוֹמְרִים: מַעֲבִירִין
מֵעַל הַשְּׁלָחַן עֲצָמוֹת וְקִלְפִין, וְבֵית
הֵלֵל אוֹמְרִים: מְסַלֵּק אֶת הַטְּבֵלָא בּוֹלָה
וּמְנַעֲרָה.

מַעֲבִירִין מִלֶּפְנֵי הַשְּׁלָחַן פִּירוּרִין פְּחוֹת
מְבוֹיָת, וְשַׁעַר שֶׁל אֶפְרוֹיִן, וְשַׁעַר עֲדָשִׁים –
מִפְנֵי שֶׁהוּא מֵאֲכָל בְּהֵמָה.

סָפּוֹג, אִם יֵשׁ לוֹ עוֹר בֵּית אַחֲזִיָּה – מְקַנְחִין
בוֹ, וְאִם לֹא – אִין מְקַנְחִין בוֹ. (וְחֻכְמִים
אוֹמְרִים: בֵּין כֶּךָ וּבֵין כֶּךָ נִשְׁטַל בְּשַׁבָּת,
וְאִינוּ מְקַבְּלִים טוֹמְאָה.

גַּמְ' אָמַר רַב נַחֲמָן: אֲנִי אִין לָנוּ אֵלָּא
בֵּית שְׁמַאי כְּרָבִי יְהוּדָה, וְבֵית הֵלֵל כְּרָבִי
שְׁמַעוֹן.

"מַעֲבִירִין מִלֶּפְנֵי הַשְּׁלָחַן פִּירוּרִין". מִסְּעִי
לֵיהּ לְרַבִּי יוֹחָנָן, דְּאָמַר רַבִּי יוֹחָנָן: פִּירוּרִין
שְׂאִין בְּהֵן בֵּית – אִסּוּר לְאַבְדֵּן בְּיָד.

"שַׁעַר שֶׁל אֶפְרוֹיִן". מִנֵּי רַבִּי שְׁמַעוֹן הִיא,
דְּלִית לֵיהּ מוֹקְצָה.

אִימָא סִיפָא: סָפּוֹג, אִם יֵשׁ לוֹ בֵּית
אַחֲזִיָּה – מְקַנְחִין בוֹ, וְאִם לֹא – אִין
מְקַנְחִין בוֹ. אֲתָאן לְרַבִּי יְהוּדָה, דְּאָמַר
דְּבִר שְׂאִין מִתְבָּוִין – אִסּוּר!"

בְּהָא אֶפִּילוּ רַבִּי שְׁמַעוֹן מוֹדֵה, דְּאִבֵּי
וְרָבָא דְאִמְרֵי תַרְוִיחָה: מוֹדֵה רַבִּי שְׁמַעוֹן
בְּפִסְקִי רִישִׁיהּ וְלֹא יָמוּת.

The Gemara answers: **There, since the intestines will putrefy** as time passes, they are **on his mind from yesterday**. Since Shabbat eve, he has had in mind to feed them to the cat.

The Gemara adds: **So too, it is reasonable to say that Rava holds in accordance with the opinion of Rabbi Yehuda, as Rava taught: A woman may not enter the wood storehouse to take a wooden poker to stoke a fire on a Festival.¹⁴ And with regard to a poker that broke, it is prohibited to kindle a fire with it on a Festival, as one may kindle a fire on a Festival with vessels that may be moved, but one may not kindle a fire with broken vessels that broke during the Festival. They are set-aside and prohibited. Conclude from it that Rava ruled in accordance with the opinion of Rabbi Yehuda with regard to the halakhot of set-aside.**

MISHNA Beit Shammai say: One may clear bones and shells left from the Shabbat meal from the table¹⁵ with his hand. And Beit Hillel say: One may remove the entire board [tavla]¹⁶ that is the table surface and shake the bones and shells off of it, but he may not lift them with his hand because they are set-aside and may not be moved.

One may clear bread crumbs from the table, even if they are less than an olive-bulk, and pea and lentil pods. Even though it is not fit for human consumption, it may be moved because it is animal fodder.

With regard to a sponge, if it has leather as a handle, one may wipe the table with it, and if not, one may not wipe the table with it¹⁷ lest he come to squeeze liquid from it. And the Rabbis say: Both this, a dry sponge with a handle, and that, one without a handle, may be moved on Shabbat and it does not become ritually impure. A sponge is not among the substances that can become ritually impure,¹⁸ neither by Torah law nor by rabbinic decree.

GEMARA Rav Nahman said: Reverse the two opinions, as we have only Beit Shammai in accordance with the opinion of Rabbi Yehuda, who prohibits moving set-aside items, and Beit Hillel in accordance with the opinion of Rabbi Shimon, who permits doing so.

We learned in the mishna: **One may clear bread crumbs from the table**. The Gemara comments: This supports the opinion of Rabbi Yohanan, as Rabbi Yohanan said: With regard to crumbs that are less than an olive-bulk,¹⁹ it is prohibited to destroy them by hand²⁰ in deference to the food.

We learned in the mishna: One may clear pea and lentil pods from the table on Shabbat. The Gemara asks: **Whose opinion is it in the mishna? It is the opinion of Rabbi Shimon, who is not of the opinion that there is a prohibition of set-aside.**

Say the latter clause of the mishna: With regard to a sponge, if it has leather as a handle, one may wipe the table with it, and if not, one may not wipe the table with it. We have arrived at the opinion of Rabbi Yehuda, who said: **An unintentional act is prohibited**, as he certainly does not intend to squeeze liquid from the sponge.

The Gemara answers: **In that case, even Rabbi Shimon agrees that it is prohibited, as it is Abaye and Rava who both say: Rabbi Shimon agrees in a case of: Cut off its head will it not die, i.e., inevitable consequences. When the prohibited outcome that ensues from the unintentional action is inevitable, Rabbi Shimon agrees that it is prohibited. Squeezing liquid from a sponge is an inevitable consequence.**

HALAKHA

אוד – אוד – A wooden poker to stoke the fire on a Festival – **בְּיוֹם טוֹב**: On a Festival, it is prohibited to take a piece of wood, whether damp or dry (*Mishna Berura*), from a pile of wood and utilize it as a poker to stoke a fire in an oven. This is because it is considered as if one was completing the production process of a vessel (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 4:11; *Shulhan Arukh*, *Orah Hayyim* 507:3).

One may clear bones and shells from the table – מַעֲבִירִין מֵעַל הַשְּׁלָחַן קִלְפֹת וְעֲצָמוֹת: On Shabbat, it is permitted to move bones fit for dogs and shells fit for use as animal fodder from the table. However, if they are not even suitable for use as animal fodder, one may only shake the table so they fall off, as per the opinion of Beit Hillel, according to *Tosafot* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:16; *Shulhan Arukh*, *Orah Hayyim* 308:27).

קִינוּחַ בְּסָפּוֹג – קִינוּחַ: One may not wipe a surface with a sponge on Shabbat unless the sponge has a handle. If it does not, the concern is that one might squeeze liquid from the sponge (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:15; *Shulhan Arukh*, *Orah Hayyim* 320:17).

פִּירוּרִין שְׂאִין – פִּירוּרִין – Crumbs that are less than an olive-bulk – **בֵּיתָא בֵּיתָא**: It is permitted to destroy crumbs that are less than an olive-bulk, in accordance with the version of this *halakha* in tractate *Berakhot*. Nevertheless, it is customary to do so in a respectful manner. Failure to do so leads to poverty (see *Magen Avraham*; Rambam *Sefer Ahava*, *Hilkhot Berakhot* 7:11; *Shulhan Arukh*, *Orah Hayyim* 180:4).

LANGUAGE

Board [tavla] – טַבֵּלָה: From the Latin word *tabula*, meaning a board, especially a wooden board that serves as a cover for a table and a writing tablet.

NOTES

סָפּוֹג לְעִנּוּן – סָפּוֹג: A sponge with regard to ritual impurity – **קִבְלַת טוֹמְאָה**: Although the Torah lists materials and vessels that can become ritually impure, the list is not comprehensive. The Sages decreed that certain items that do not appear on the Torah's list, e.g., glass vessels, can also become ritually impure. One of their guiding principles is that materials coming from the sea, e.g., fish skin and bones, cannot become impure. Therefore, a sponge, which is from the sea and is not a vessel, cannot become impure.

Crumbs that are less than an olive-bulk, it is prohibited to destroy them by hand – פִּירוּרִין שְׂאִין בְּיָד: The version of this passage that appears in *Rabbeinu Hananel* is the version that appears in *Tosafot*: Crumbs that are less than an olive-bulk may be destroyed by hand. That is the reading in tractate *Berakhot* as well. According to that reading, in this context the phrase one may clear means that one may throw away the small crumbs, and one need not make certain to keep them on the table. According to *Tosafot* in tractate *Berakhot*, even if it is permitted to throw away small crumbs, it is customary to do so in a respectful manner.

Pits of Aramean dates – גִּרְעֵי תְּמָרִים אֲרָמִיּוֹת: It is permitted to move date pits in a place where they are fed to animals. A prominent person should be stringent and move them only in an unusual manner, as per the custom of Rabbi Zekharya ben Avkolas (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:16; *Shulḥan Arukh*, *Orah Ḥayyim* 308:30).

A man may perform all his needs with bread – עוֹשֶׂה בֶּרֶךְ בִּפְתֵי אָדָם כָּל צְרֻכּוֹ בַּפֶּת: Bread may be used for all of a person's needs provided that the bread is not ruined, as per the opinion of Shmuel and the Gemara in tractate *Berakhot* (Rambam *Sefer Ahava*, *Hilkhot Berakhot* 7:9; *Shulḥan Arukh*, *Orah Ḥayyim* 171:1).

And may one create a chamber pot of excrement *ab initio* – יָכִי עוֹשֶׂין גִּרְף שֶׁל רִיעֵי לְבַתְחִילָה: One may not cause a container to assume the legal status of a chamber pot of excrement *ab initio*, so that it will become so repulsive that it will be permitted to move it (see *Magen Avraham* and *Mishna Berura*), as per the opinion of Rav Ashi (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 25:24; *Shulḥan Arukh*, *Orah Ḥayyim* 308:36).

NOTES

Aramean...and Persian – אֲרָמִיּוֹת...וּפִרְסִיּוֹת: Some explain that Aramean date pits are soft and can be eaten by people, whereas Persian date pits are entirely unfit to be eaten by people (Rabbeinu Ḥananel). In addition, vestiges of the fruit remain attached to Aramean date pits, and therefore, they may be moved on Shabbat. That is not the case with the pits of Persian dates (*Me'ir*). Others explain that Persian date pits are typically used for burning and therefore may not be moved, as opposed to Aramean date pits, which are softer and fit for use as animal feed (Rashba).

Carrying along with bread – טָלְטוּל אֶגֶב לָחֶם: The question arises with regard to this statement and with regard to the mishna as well: According to the opinion that permits the carrying of crumbs along with a board, why don't the bread and the board become a base for a prohibited object? *Tosafot* answer that an object only becomes a base for a prohibited object if the prohibited object was placed on it with the intention of leaving it there throughout Shabbat. However, if the intention was to leave it there only for part of the day, the base does not assume the status of the base for a prohibited object. Others explain that since the bread crumbs or the date pits are insignificant, they are negated relative to the board or the slice of bread on which they are placed. Therefore, they do not become a base for a prohibited object (Ra'avad).

הֵנִי גִרְעֵינִי דְתִמְרֵי אֲרָמִיּוֹת שֶׁרוֹ לְטָלְטוּלֵנָהּ, הַזֶּה הוּא הַלֵּל וְחִזְזִין אֶגֶב אֲמֵן. וּדְפָרְסִיּוֹת – אֶסוּר.

שְׁמוּאֵל מְטַלְטֵל לֵהוּ אֶגֶב רִפְתָּא. (שׁוֹנִ"ס שִׁפְ"ז סִימָן). שְׁמוּאֵל לְטַעְמִיָּה, דְּאָמַר שְׁמוּאֵל: עוֹשֶׂה אָדָם כָּל צְרֻכּוֹ בַּפֶּת.

רַבָּה מְטַלְטֵל לֵהוּ אֶגֶב לְקִנְיָא דְמִיָּא. רַב הוֹנָא בְרִיה דְּרַב יְהוֹשֻׁעַ עֲבִיד לֵהוּ כְּגִרְף שֶׁל רִיעֵי. אָמַר לִיה רַב אֲשִׁי לְאִמְיָמִר: וְכִי עוֹשֶׂין גִּרְף שֶׁל רִיעֵי לְבַתְחִילָה?

רַב שֶׁשֶׁת זָרִיק לֵהוּ בְּלִישְׁנִיה. רַב פָּפָא זָרִיק לֵהוּ אַחֲרֵי הַמְּשָׁה. אָמְרוּ עָלָיו עַל רַבִּי זְכַרְיָה בֶּן אֲבָקוּלָם שֶׁהִיא מְחִזִּיר פָּנָיו אַחֲרֵי הַמְּשָׁה וְזוֹרֵקָן.

הָדָרִן עַל־נֹטֵל אָדָם אֶת בְּנוֹ

With regard to those pits of Aramean dates,^h which are low quality and occasionally fed to animals, it is permitted to move the pits since they are fit for use due to their origin, i.e., the dates that were prepared as animal feed beforehand. And moving pits of Persianⁿ dates is prohibited. Since those dates are high quality and are not prepared for animals, their pits, too, are not prepared for that use.

The Gemara relates that Shmuel would carry them along with bread.ⁿ The letters *shin, resh, nun, mem, shin, peh, zayin* are a mnemonic of the Sages whose opinions are cited below: Shmuel, Rabba, Huna, Ameimar, Sheshet, Pappa, Zekharya. The Gemara comments: Shmuel's statement is consistent with his reasoning, as Shmuel said: A man may perform all his needs with bread.^h As long as the bread remains edible, he need not be concerned that he is treating the bread contemptuously.

Rabba would move them along with a pitcher of water. Rav Huna, son of Rav Yehoshua, would render them a chamber pot with excrement. The Sages permitted moving repulsive vessels. Here, too, he would collect all the date pits and then move them out because they were disgusting. Rav Ashi said to Ameimar: And may one create a chamber pot with excrement *ab initio*?^h Although The Sages permitted moving a container of excrement, they did not permit creating one *ab initio* so that it would be permitted to move it.

Rav Sheshet would dispose of the pits with his tongue. Rav Pappa would dispose of them behind the divan on which he sat while eating because he did not want to move them in another manner. They said about Rabbi Zekharya ben Avkolas that he would turn his face toward the back of the divan and dispose of them.

Summary of **Perek XXI**

Most of the Sages accepted the *halakha* that one is forbidden on Shabbat to handle a base of a forbidden article. However, this chapter clarified that the rule applies only to moving the item in a normal fashion; when necessary, there is room for leniency with regard to moving such items in an unusual or indirect fashion. Similarly, when there is a need to move something connected to a set-aside item, such as a child who is holding a set-aside item, or a barrel upon which a set-aside item is resting, the Sages allowed it and did not apply the prohibition of a base for a forbidden article. It was also explained in this chapter that the *halakha* is generally not highly stringent with regard to the laws of set-aside on Shabbat, and it is permitted to move something in order to protect the honor of Shabbat or to remove an item that people find repulsive. This is especially true according to the view of Rabbi Shimon, which was accepted as normative.

Introduction to Perek XXII

This chapter also deals with different types of prohibitions subsumed under the category of *shevut*. Here, too, there is no single theme that unites all the topics addressed, although most of them deal with food preparation on Shabbat. Arranging the chapter's contents in a different order than is presented in the Mishna would allow us to identify several general questions that serve as the basis for the details that are discussed in this chapter.

One of these issues relates to the laws of squeezing on Shabbat. Squeezing is not listed as a primary category of prohibited labor. Its prohibition is not based on the act of squeezing alone; indeed, squeezing can be a subcategory of at least two primary categories of labor, depending on the circumstances: It can be a subcategory of the labor of threshing, which is defined abstractly as removing the desired contents from within an unwanted wrapping or shell, and it can be a subcategory of the labor of whitening, when the squeezing is performed in the process of washing.

However, the relationship between squeezing and threshing is not completely clear and uniform. For example, in the practical discussions regarding milking animals on Shabbat, the question arises as to the extent to which one should understand milking as a form or subcategory of squeezing or threshing. This leads to the question of whether milking should be viewed as a Torah prohibition or a rabbinic decree. Similarly, it is necessary to delineate the fine differences between types of squeezing that can be viewed as a subcategory of threshing and other types of squeezing that are externally similar to the first type but differ with regard to the intent of the person squeezing or the purpose of the act itself.

Also discussed in this chapter is breaking a barrel in order to remove food from inside it. The chapter likewise deals with various kinds of food preparation. These forms of food preparation all involve actions that are similar to squeezing and require one to identify the fine line separating a prohibited labor from actions that are externally similar to it but are different because of the intent of the person performing the action. Examples of this include heating up, soaking, and cooling foods on Shabbat: Are these acts forbidden because of their similarity to cooking, or are they perhaps totally permitted and not prohibited even by rabbinic decree? This chapter also comes to conclusions regarding some issues that the Gemara began to address in previous chapters but had not yet resolved.

מתני' חבית שנשברה מצילין הימנה מון שלש סעודות, ואומר לאחרים: באו והצילו לכם, ובלבד שלא יספוג. אין סוחטין את הפירות להוציא מהן משקין, ואם יצאו מעצמן – אסורין. רבי יהודה אומר: אם לאוכלין – היוצא מהן מותר, ואם למשקין – היוצא מהן אסור. חלות דבש שריסקן מערב שבת ויצאו מעצמן – אסורין, ורבי אליעזר מותר.

גמ' תנא: לא יספוג בין, ולא יטפח בשמן, שלא יעשה בדרך שהוא עושה בחול. תנו רבנן: נתפזרו לו פירות בחצר – מלקט על יד על יד ואוכל. אבל לא לתוך הסל ולא לתוך הקופה, שלא יעשה בדרך שהוא עושה בחול.

"אין סוחטין את הפירות." אמר רב יהודה אומר שמואל: מודה היה רבי יהודה לחכמים בוייתים וענבים. מאי טעמא – בין דלסחיטתה מנהו יתיב דעתיה. ועולא אמר רב: חלוק היה רבי יהודה אף בוייתים וענבים. ורבי יוחנן אומר: הלכה כרבי יהודה בשאר פירות, ואין הלכה כרבי יהודה בוייתים וענבים.

אמר רבא אומר רב יהודה אומר שמואל: מודה היה רבי יהודה לחכמים בוייתים וענבים, ומודים חכמים לרבי יהודה בשאר פירות.

אמר ליה רבי ירמיה לרבי אבא: אלא במאי פליגי? אמר ליה: לכי תשבח. אמר רב נחמן בר יצחק: מסתברא. בתותים ורמונים פליגי.

MISHNA From a barrel of wine or oil that broke on Shabbat, one may rescue from it^H food sufficient for three meals, and one may also say to others: Come and rescue food for yourselves. This applies provided that one does not soak up the wine or oil with a sponge or rag, due to the prohibition of squeezing. One may not squeeze fruits on Shabbat in order to extract liquids from them. And if liquids seeped out on their own, it is prohibited to use them on Shabbat. Rabbi Yehuda says: If the fruits were designated for eating, the liquid that seeps from them on Shabbat is permitted. There is no concern lest one purposely squeeze liquids from fruit that is designated for eating. And if the fruits were originally designated for liquids,^N the liquids that seep from them on Shabbat are prohibited. In the case of honeycombs that one crushed on Shabbat eve, and honey and wax seeped from them on their own on Shabbat, they are prohibited, and Rabbi Eliezer permits using them.

GEMARA It was taught in the *Tosefta*: One may not soak up wine and one may not collect oil in his hand, so that one will not conduct himself on Shabbat in the manner that he conducts himself during the week. The Sages taught in a *baraita*: If one's fruit was scattered in a courtyard^{NH} on Shabbat, one may collect them from hand to hand, a little at a time, and eat them immediately. However, one may not collect them into a basket or into a box, so that one will not conduct himself on Shabbat in the manner that he conducts himself during the week.

We learned in the mishna: One may not squeeze fruit on Shabbat, and the liquid that seeps from fruit on its own is prohibited. Rabbi Yehuda, however, distinguishes between fruit that is designated for eating, in which case the liquid that seeps out on its own is permitted, and fruit that is designated for juicing, in which case the liquid that seeps out on its own on Shabbat is prohibited. Rav Yehuda said that Shmuel said: Rabbi Yehuda concedes to the Rabbis with regard to olives and grapes. Even if they were designated for eating, the liquid that seeps from them on its own on Shabbat is prohibited. What is the reason for this? Since they are generally used for squeezing, one had in mind from the outset that these would serve that purpose as well, even if he designated them for eating. And Ulla said that Rav said: Rabbi Yehuda was in disagreement even with regard to olives and grapes. And Rabbi Yohanan said: The *halakha* is in accordance with the opinion of Rabbi Yehuda with regard to other fruits, and the *halakha* is not in accordance with the opinion of Rabbi Yehuda with regard to olives and grapes.

Rabba said that Rav Yehuda said that Shmuel said as follows: Rabbi Yehuda would concede to the Rabbis with regard to olives and grapes, and the Rabbis would concede to Rabbi Yehuda with regard to other fruit.

Rabbi Yirmeya said to Rabbi Abba: If it is true that they agree with each other, with regard to what do they disagree? He said to him: When you find it, i.e., examine this matter and you will find areas in which they disagree. Rav Nahman bar Yitzhak said: It stands to reason that they disagree with regard to mulberries and pomegranates, which have intermediate status, between olives and grapes, which are always considered designated for juicing, and other fruits, which are not.

NOTES

לאוכלין... למשקין – For eating... for liquids. The prohibition against squeezing is a sub-category of the prohibited labor of threshing, which entails removing the edible, inside part from the insignificant outer shell. Therefore, liquid that seeps from fruit designated for consumption cannot be considered threshing, since the fruit itself is significant. The liquid is considered food that separated from other food, which is permitted like any other food item that was divided into smaller parts.

If one's fruit was scattered in a courtyard – נתפזרו לו פירות בחצר: Some commentaries explain that the discussion is limited to a case where the fruit was scattered throughout the courtyard. However, if the fruit fell in one place, it is permitted to gather it into a basket in the standard manner (Rabbeinu Yona). An alternate interpretation is that the fruit is mixed with pebbles and dirt, and therefore there is concern that one may perform the prohibited labor of selecting the waste from the edible (Ramban). The Rambam states that the concern is that one will press the fruit together in the basket and thereby violate the prohibited labor of gathering sheaves into a pile.

HALAKHA

Rescuing from a broken barrel – הצלה מחבית שבורה: If a barrel breaks on Shabbat, one may rescue the measure of wine or oil that one requires for three meals. If one uses a single utensil, he may collect even more. It is also permitted to tell others to rescue wine or oil for themselves. However, it is prohibited to soak up wine or oil with an absorbent material, because one might come to squeeze it (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:16; *Shulhan Arukh*, *Orah Hayyim* 335:1).

נתפזרו לו פירות בחצר – If one's fruit was scattered in a courtyard: If one's fruit was scattered in a courtyard on Shabbat, he may pick up a small amount at a time and eat it. However, one may not collect large quantities of fruit in a basket, because that is conduct identical to the manner that he conducts himself during the week (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:11; *Shulhan Arukh*, *Orah Hayyim* 335:5).

דַּתְנָא: וַיְתִים שְׁמֶשֶׁךְ מִהֶן שָׁמֶן, וְעִנְבִּים שְׁמֶשֶׁךְ מִהֶן יֵין, וְהִכְנִסֶן בֵּין לְאוֹכֵל בֵּין לְמִשְׁקִין – הֵיזָא מִהֶן אָסוּר. תּוֹתִים שְׁמֶשֶׁךְ מִהֶן מִים, וְרִמוֹנִים שְׁמֶשֶׁךְ מִהֶן יֵין, וְהִכְנִסֶן לְאוֹכֵלִין – הֵיזָא מִהֶן מוֹתֵר, לְמִשְׁקִין וּלְסֵתֶם – הֵיזָא מִהֶן אָסוּר, דְּבִרֵּי רַבִּי יְהוּדָה. וְחֻכְמִים אוֹמְרִים: בֵּין לְאוֹכֵלִין בֵּין לְמִשְׁקִין – הֵיזָא מִהֶן אָסוּר.

וְסִבְרֵי רַבִּי יְהוּדָה סֵתֶם אָסוּר?! וְהִתְנַן: חֵלֶב הָאִשָּׁה מְטַמָּא לְרִצּוֹן וְשִׁלָּא לְרִצּוֹן, חֵלֶב בְּהֵמָה אֵינוֹ מְטַמָּא אֶלָּא לְרִצּוֹן.

אָמַר רַבִּי עֲקִיבָא: קֵל וְחוֹמֶר הוּא, וּמֵה חֵלֶב הָאִשָּׁה שְׂאִינוּ מִיּוֹחַד אֶלָּא לְקֻטְנִים – מְטַמָּא לְרִצּוֹן וְשִׁלָּא לְרִצּוֹן, חֵלֶב הַבְּהֵמָה שְׂמִיּוֹחַד בֵּין לְקֻטְנִים בֵּין לְגְדוּלִים – אֵינוֹ דִּין שְׂטִימָא בֵּין לְרִצּוֹן וּבֵין שִׁלָּא לְרִצּוֹן? אָמְרוּ לוֹ: אִם טִמָּא חֵלֶב הָאִשָּׁה שִׁלָּא לְרִצּוֹן – שְׂדֵם מִגְפָּתָה טִמָּא, יְטַמָּא חֵלֶב הַבְּהֵמָה

As it was taught in a *baraita*: With regard to olives from which one squeezed oil^H and grapes from which one squeezed wine before Shabbat (*Tosafot*), and he subsequently brought them into his house, whether he brought them in for use as food or whether he brought them in for use of their liquids, that which seeps from them on its own on Shabbat is prohibited. However, with regard to mulberries from which one squeezed water, i.e., juice, and pomegranates from which one squeezed wine, i.e., pomegranate juice, and he brought them into the house, if he originally brought them in for use as food, what seeps from them is permitted. And if he brought them in for use of their liquids, and similarly, if he brought them in without specifying his intention, what seeps from them is prohibited. This is the statement of Rabbi Yehuda. And the Rabbis say: Whether he brought them into the house for use as food or whether he brought them in for use of their liquids, what seeps from them is prohibited.

The Gemara questions this *baraita*: And does Rabbi Yehuda maintain that in the case of undesignated fruit that was not designated for a specific purpose, the liquid that seeps on its own is prohibited? Didn't we learn in a mishna: A woman's milk is considered a liquid and therefore renders food susceptible to ritual impurity,^{HN} whether the milk was expressed volitionally and whether it was expressed unvolitionally? On the other hand, milk of an animal only renders food susceptible to ritual impurity if it was milked volitionally but not if it drips out on its own.

Rabbi Akiva said: It is an *a fortiori* inference that this is incorrect: Just as a woman's milk, which is intended only for young children, is considered a liquid and renders food susceptible to ritual impurity both if the milk is expressed volitionally and if it is expressed unvolitionally, the milk of an animal, which is intended for both young and old, is it not logical that it should render food susceptible to ritual impurity, both if it was expressed volitionally and if it was expressed unvolitionally? They said to him that this *a fortiori* inference can be refuted in the following way: If a woman's milk renders food susceptible to ritual impurity even when the milk was expressed unvolitionally, as the status of the blood of her wound is also that of a liquid that renders food susceptible to ritual impurity,^{HN} that does not mean that the milk of an animal renders food susceptible to ritual impurity

HALAKHA

Squeezing fruit – סְחִיטַת פְּרִיֹת: It is prohibited to squeeze liquid from olives and grapes on Shabbat. If juice seeps from them on its own, it is prohibited to drink or use the juice on Shabbat. It is also prohibited to squeeze mulberries and pomegranates on Shabbat. If juice seeps from them, it is prohibited to drink the juice if the fruit was designated for juicing. However, if the fruit was designated for eating the juice is permitted. The *halakha* is in accordance with the mishna according to the explanation of Shmuel (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:12; *Shulḥan Arukh*, *Oraḥ Ḥayyim* 320:1).

Ritual impurity of a woman's milk – טִמְאָת חֵלֶב אִשָּׁה: Mother's milk is always considered a liquid and renders food susceptible to ritual impurity, whether or not the milk was expressed intentionally (Rambam *Sefer Tahara*, *Hilkhot Tumat Okhalin* 10:4).

As the blood of her wound renders food susceptible to ritual impurity – שְׂדֵם מִגְפָּתָה טִמָּא: Blood from a wound in a person with a severe form of ritual impurity renders food susceptible to ritual impurity and renders it ritually impure simultaneously (Rambam *Sefer Tahara*, *Hilkhot Tumat Okhalin* 10:5).

NOTES

Renders food susceptible to ritual impurity – מְטַמָּא: Food can become ritually impure only if it was rendered susceptible to impurity through contact with liquid (see *Leviticus* 11:38). Although the only liquid mentioned in the Torah in this regard is water, the Sages debate whether other liquids are also capable of rendering fruit susceptible to impurity. Inclusion in the group of liquids that confer susceptibility to ritual impurity depends on the particular liquid's similarity to water based on derivations from the verses. Therefore, only a derivation like an *a fortiori* inference or a verbal analogy can determine a liquid's status in this regard.

As the blood of her wound renders food susceptible to ritual impurity – שְׂדֵם מִגְפָּתָה טִמָּא: There is a special derivation cited by Rashi that teaches that human blood is considered a liquid. Therefore, if it comes into contact with food, it renders the food susceptible to ritual impurity. There is no distinction in this regard between different kinds of human blood; any kind of human blood renders food susceptible to ritual impurity. Animal blood that flows when the animal is slaughtered is also considered a liquid and renders food susceptible to ritual impurity; however, other kinds of animal blood are not considered to be liquids.

שלא לרצון – שדם מגפתה טהור! אמר להן: מחמיר אני בחלב מבדם, שהחולב לרפואה – טמא, והמקין לרפואה – טהור. אמרו לו: סלי זיתים וענבים יוכיחו, שהמשקין היוצאין מהן לרצון – טמאין, שלא לרצון – טהורים.

מאי לאו לרצון? – דניחא ליה, "שלא לרצון", בסתמא. ומה זיתים וענבים דבני סחיטה ננהו – שלא לרצון ולא כלום, תותים ורמונים דלאו בני סחיטה ננהו לא כל שכן?

לא, "לרצון" – בסתמא, "שלא לרצון" – דגלי אדעתיה, דאמר "לא ניחא לי". ואיבעית אימא: שאני סלי זיתים וענבים, בין דלאיבוד קיימי – מעיקרא אפקורי מפקרי להו.

אשכחן רבי יהודה דמודי לרבנן בזיתים ובענבים. רבנן דמודי ליה לרבי יהודה בשאר פירות מנלן? – דתניא: סוחטין

if it was expressed unintentionally, as the blood of its wound is ritually pure,^h meaning that it does not render food susceptible to ritual impurity. Rabbi Akiva said to them: I am more stringent with regard to milk than with regard to blood,ⁿ as if one milks an animal for medicinal purposes, the milk renders food susceptible to ritual impurity, and if one lets blood for medicinal purposes,^h the status of the blood is not that of a liquid and is ritually pure,ⁿ in the sense that it does not render food susceptible to ritual impurity. They said to him: The case of baskets of olives and grapes will prove that there is a difference between liquids that emerge of his own volition and those that do not, as liquid that seeps from them^h volitionally renders food susceptible to ritual impurity.ⁿ However, liquid that seeps from them unvolitionallyⁿ is ritually pure, i.e., it does not render food susceptible to ritual impurity. Apparently, liquid renders food susceptible to ritual impurity only if it emerged of its own volition.

The Gemara analyzes the terms of that mishna: What, is it not true that the term volitionally is referring to a situation where one is pleased with the emergence of liquids, and the term unvolitionally is referring to an indeterminate situation, where he expressed no preference? This leads to a conclusion with regard to our original topic of discussion. Just as in the case of olives and grapes, which are primarily designated for squeezing in order to extract oil and wine respectively, if liquid leaked from them unvolitionally, in the sense that one did not intend for the liquid to emerge, it has no significance and does not render food susceptible to ritual impurity; in the case of mulberries and pomegranates, which are not typically designated for squeezing, is it not all the more so that liquid that seeps from them unvolitionally does not render food susceptible to ritual impurity?

The Gemara refutes this argument: No, the term volitionally is referring even to a situation where one's preference is indeterminate, and the term unvolitionally is referring to a situation where one revealed his mind-set explicitly and said: I am not pleased if liquid emerges. And if you wish, say instead that baskets of olives and grapes are different; since the liquid that leaks from them stands to be lost, one renounces it from the outset. No proof can be cited from this mishna. Generally speaking, however, the legal status of liquids that are not designated to be lost from the outset is that of liquids, even if one did not express pleasure with their emergence.

We have found in the *baraita* cited above that Rabbi Yehuda conceded to the Rabbis with regard to olives and grapes, that liquid that seeps from them on its own on Shabbat, both volitionally and unvolitionally, is prohibited during Shabbat. From where do we conclude that the Rabbis concede to Rabbi Yehuda with regard to other fruits and distinguish between fruits designated for eating and those designated for juicing? As it was taught in a *baraita*: One may squeeze

NOTES

Blood and milk – דם ותלב: The Sages listed seven liquids that render susceptible to ritual impurity foods with which they come into contact: Water, dew, wine, blood, oil, honey, and milk. The inclusion of each liquid on this list is derived either from explicit verses or by means of the hermeneutic principles. The Sages included milk because it is similar to blood in that both emerge from people. Indeed, the Sages taught that in certain cases blood becomes turbid and becomes milk. However, Rabbi Akiva stated that there is a specific verse that proves milk is a liquid in this regard and that there is no connection between the *halakhot* of milk and blood. His proof is that there are cases where milk is treated more stringently than blood. Therefore, milk is not considered a type of blood.

If one lets blood for medicinal purposes, the blood is ritually pure – המקין לרפואה טהור: The *Me'iri* explains that these *halakhot* apply to human blood as well. According to this opinion, not all blood renders food susceptible to ritual impurity. Only blood from a corpse renders food susceptible to ritual impurity.

Baskets of olives and grapes...liquid that seeps from them volitionally renders food susceptible to ritual impurity – סלי זיתים וענבים...שהמשקין היוצאין מהן לרצון – טמאין: Although the Sages taught that liquid that seeps from baskets of grapes renders food susceptible to ritual impurity, this was an additional rabbinic decree dealing with situations where one harvests grapes in baskets lined with tar, from which the liquid does not escape. It is only due to this consideration that the decree was issued (Rashba).

Volitionally and unvolitionally – לרצון ושלא לרצון: There are two aspects to the concept of volition with regard to rendering food susceptible to ritual impurity. The first aspect is the owner's approval at the time that the liquid renders the food susceptible to ritual impurity. The liquid has this effect only if it makes contact with the food with the owner's knowledge and approval. If it fell on the food accidentally, without the owner's knowledge, it does not render food ritually impure. The second aspect concerns liquids other than water. The Torah only mentions water, and all other liquids render food susceptible to ritual impurity due to their similarity to water based on derivations from verses. Therefore, all other liquids have the legal status of water only if they became liquids through the owner's volition. If that is not the case, their legal status is not that of water and they do not render food susceptible to ritual impurity. The dispute between Rabbi Akiva and the Rabbis relates to this second requirement.

HALAKHA

שדם מגפתה טהור – As the blood of its wound is ritually pure: Blood from an animal's wound does not render food susceptible to ritual impurity when it comes into contact with food (Rambam *Sefer Tahara, Hilkhhot Tumat Okhalin* 10:3).

If one lets blood for medicinal purposes – המקין לרפואה: Blood that was drawn from a person for medicinal purposes is not

considered a liquid and does not render food susceptible to ritual impurity (Rambam *Sefer Tahara, Hilkhhot Tumat Okhalin* 10:3).

משקי זיתים וענבים – Olive oil and grape juice render food susceptible to ritual impurity if the owner of the fruit desires that they emerge from the fruit (Rambam *Sefer Tahara, Hilkhhot Tumat Okhalin* 1:2).

NOTES

Does Menashya ben Menaḥem constitute the majority of the world – מְנַשְׁיָא בֶּן מִנְחֵם הוּי רובא דְעָלְמָא – The discussion concerns the following question: Is the behavior of individuals, e.g., those who squeeze pomegranates, irrelevant in determining *halakha* for the general population? Or is the fact that some individuals act in a certain way enough of a factor to determine that that conduct or practice is normative?

Food crops in a vineyard – כִּלְאֵי הַכֶּרֶם: The Torah states: “Do not sow your vineyard with two kinds of seed, lest the fullness of the seed which you have sown be rendered forbidden together with the yield of the vineyard” (Deuteronomy 22:9). The Sages derived from this verse that crops planted in a vineyard are forbidden and render the yield of the vineyard itself forbidden. The application of this *halakha* depends on the question of which plants constitute a forbidden food crop in a vineyard.

Arabia is a place – דְּעֶרְבָא אַתָּרָא: Rashba adds that Arabia is a place where people commonly raise camels, and their custom is to cultivate thorns as camel fodder. Consequently, the custom in Arabia should impact the assessment of normative behavior in places where people raise camels. On the other hand, there was no particular reason for the custom of the people of the house of Menashya bar Menaḥem, and therefore their personal preferences are irrelevant in determining general halakhic norms.

HALAKHA

Thorns in a vineyard – קוֹצִים בַּכֶּרֶם: If plants that are not generally cultivated grow on their own in a vineyard, and most people in that area do not sustain those plants, they do not constitute a forbidden food crop in a vineyard. This is so even if the owner of the vineyard wants to use them to feed his animals and the like, in accordance with the opinion of the Rabbis (Rambam *Sefer Zera'im*, *Hilkhot Kilayim* 5:18; *Shulḥan Arukh*, *Yoreh De'ah* 296:14).

בְּפִגְעִין וּבְפִרְשֵׁין וּבְעוֹזְרִין, אֲבָל לֹא בְּרִמּוֹנִים. וְשֶׁל בֵּית מְנַשְׁיָא בְּר מִנְחֵם הוּי סוֹחֲטִין בְּרִמּוֹנִים.

וּמִמָּאֵי דְרַבְנָן הִיא, דִּילְמָא רַבִּי יְהוּדָה הִיא? וְתַהּוּי נָמִי רַבִּי יְהוּדָה, אִימָר דְּשִׁמְעַתְּ לִיהָ לְרַבִּי יְהוּדָה יֵצֵאוּ מִעֲצָמָן, סוֹחֲטִין לְכַתְחִילָהּ מִי שְׁמַעַתְּ לִיהָ? אֲלָא מֵאֵי אֵית לָךְ לְמִימָר – בִּינּוּ דְלֹא בְּנֵי סַחֲיָטָה נִנְהוּ – אֲפִילוּ לְכַתְחִילָהּ; אֲפִילוּ תִימָא רַבְנָן, בִּינּוּ דְלֹא בְּנֵי סַחֲיָטָה נִנְהוּ – אֲפִילוּ לְכַתְחִילָהּ. שְׁמַע מִנֶּה: רַבְנָן הִיא, שְׁמַע מִינָהּ.

”שֶׁל בֵּית מְנַשְׁיָא בְּר מִנְחֵם הוּי סוֹחֲטִין בְּרִמּוֹנִים”. אָמַר רַב נַחֲמָן: הֲלָכָה בְּשֶׁל בֵּית מְנַשְׁיָא בְּר מִנְחֵם.

אָמַר לִיהָ רַבָּא לְרַב נַחֲמָן: מְנַשְׁיָא בֶּן מִנְחֵם תִּנָּא הוּא? וְכִי תִימָא ”הֲלָכָה כִּי הִיא תִנָּא דְסַבֵּר לָהּ כְּשֶׁל מְנַשְׁיָא בֶּן מִנְחֵם”, וּמִשּׁוּם דְסַבֵּר כְּמִנְשְׁיָא בֶּן מִנְחֵם הֲלָכָה כְּמוֹתוֹ? מְנַשְׁיָא בֶּן מִנְחֵם הוּי רובא דְעָלְמָא?!

אֵין, דִּתְנִן: הַמְקַיִים קוֹצִים בַּכֶּרֶם, רַבִּי אֱלִיעֶזֶר אוֹמֵר: קִדְשׁ, וְחֻכְמִים אוֹמְרִים: אֵינוּ מְקַדְשׁ אֲלָא דְבַר שְׁכֻמוֹהוּ מְקַיִמִין. וְאָמַר רַבִּי חֲנִינָא: מֵאֵי טַעְמָא דְרַבִּי אֱלִיעֶזֶר – שֶׁבֶן בַּעֲרֵבִיָּא מְקַיִמִין קוֹצֵי שְׂדוֹת לְגַמְלֵיהֶם.

מִיָּדִי אִירָא; דְּעֶרְבָא – אַתָּרָא, הָכָא – בְּטִלָּה דְּעֵתוֹ אֲעָל כָּל אָדָם!

plums and quinces and crab apples. However, one may not squeeze pomegranates, because they are typically squeezed for their juice, as people from the house of Menashya bar Menaḥem would squeeze pomegranates during the week. Apparently, the Rabbis concede to Rabbi Yehuda with regard to fruits other than pomegranates and mulberries.

The Gemara objects: **And from where** is it ascertained that this *baraita* is in accordance with the opinion of the Rabbis? Perhaps it is in accordance with the opinion of Rabbi Yehuda. The Gemara answers: **And let this baraita also be the opinion of Rabbi Yehuda: Say that you heard that according to Rabbi Yehuda, juice that seeped out on its own is permitted; did you hear that squeezing it is permitted *ab initio*?** Rather, what have you to say? Since they are not fruits that are generally designated for squeezing, it is permitted to squeeze them *even ab initio*. That being the case, **even if you say** the *baraita* is in accordance with the opinion of the Rabbis, the same reasoning applies: **Since they are not generally designated for squeezing**, it is permitted to squeeze them *even ab initio*. Even the Rabbis would permit squeezing fruits such as plums, quinces, and crab apples. Since the *baraita* does not permit squeezing pomegranates, **learn from it** that the *baraita* is in accordance with the opinion of the Rabbis. The Gemara concludes: **Indeed, learn from it.**

It was taught in the *baraita* cited above that people from the house of Menashya bar Menaḥem would squeeze pomegranates on weekdays. This indicates that it is typical for people to squeeze pomegranates, and therefore it is prohibited to do so on Shabbat. **Rav Nahman said: The halakha is in accordance with the practice of the people from the house of Menashya bar Menaḥem.** In other words, squeezing pomegranates is considered typical, and therefore it is prohibited on Shabbat.

Rava said to Rav Nahman: Is Menashya ben Menaḥem a *tanna* that you say the *halakha* is in accordance with his opinion? **And if you say** that Rav Nahman meant that the *halakha* is in accordance with this *tanna*, who held in accordance with the practice of the people from the house of Menashya ben Menaḥem, there is still room to ask: Does it make sense that **because he held in accordance with the practice of the people from the house of Menashya ben Menaḥem, the halakha is in accordance with his opinion?** Does Menashya ben Menaḥem constitute the majority of the world?^N Since most people do not squeeze pomegranates, the practice of the people from the house of Menashya ben Menaḥem should be irrelevant relative to the typical practice of others.

Rav Nahman answered: **Yes**, in cases of this kind, halakhic rulings are based even on practices that are not universal, as we learned in a mishna that addresses the prohibition of diverse kinds, particularly forbidden food crops in a vineyard. With regard to one who maintains thorns in a vineyard,^H Rabbi Eliezer says: **He rendered the crops a forbidden mixture of food crops in a vineyard.**^N **And the Rabbis say: Only a crop that people typically maintain renders a vineyard forbidden.** **And Rabbi Hanina said: What is the reason for the opinion of Rabbi Eliezer? Because in Arabia they maintain the thorns of the fields to feed them to their camels.** There, thorns are treated as a bona fide crop. According to this opinion, since thorns are maintained in one place, they are considered to be significant everywhere. The same reasoning applies to the issue of juicing pomegranates.

The Gemara rejects this answer: **Is this comparable?** Arabia is a place,^N and a custom practiced in an entire country is significant. **Here**, with regard to the practice of the house of Menashya bar Menaḥem, who was an individual, **his opinion** is rendered irrelevant by the opinions of all other men.

פסילת המקנה – Invalidating a ritual bath – There are two ways that liquids that fall into a ritual bath can invalidate it. The first way is if the ritual bath does not contain its requisite volume of forty *se'a*, and three *log* or more of drawn water, or any other liquid like water, falls into it. The second way is if a liquid that cannot be used in a ritual bath is poured into a ritual bath that contains the requisite forty *se'a* and alters the color of the water.

A person may squeeze a cluster of grapes into a pot; however, he may not squeeze the liquid into an empty bowl – **סוּחַת אֶדָם אֲשֶׁבּוּל שֶׁל עֲנָבִים לְתוֹךְ הַקֶּדֶרֶה, אֲבָל לֹא – לְתוֹךְ הַקְּעָרָה**: The commentaries explain that the prohibition against squeezing juice, which is a subcategory of the labor of threshing, primarily involves separating food from waste. However, the parts of the grapes that remain after juicing are considered waste only if the intent was to use the grapes exclusively for their juice. Therefore, if one squeezes juice from grapes into another food, it is merely considered a form of food preparation in which one transfers food, i.e., the grapes, into another dish. The difference between squeezing juice into a pot or into a bowl is that there is food in the pot. When the juice is squeezed into a pot of food, the juice becomes part of that food. It is considered food that was merely separated from its original source. On the other hand, if one squeezes the juice into an empty bowl, it is clear that the purpose is to remove the liquid from the fruit, which is prohibited (see Rav Hai Gaon).

HALAKHA

Anything with which one may not make a ritual bath *ab initio* invalidates the ritual bath – **וְכָל דְּבַר שֶׁאֵין עוֹשִׂין מִמֶּנּוּ**: If a substance that cannot be used to make a ritual bath, such as wine, falls into a ritual bath and alters the appearance of the water, the ritual bath is invalid (Rambam *Sefer Tahara*, *Hilkhot Mikvaot* 7:1).

מְשָׁקִים הַפּוֹסְלִים – Liquids that invalidate a ritual bath – **מִקְנָה**: Wine, vinegar, and olive discharge that fall into a ritual bath and alter its appearance invalidate it (Rambam *Sefer Tahara*, *Hilkhot Mikvaot* 7:9; *Shulḥan Arukh*, *Yoreh De'a* 201:25).

The legal status of olive discharge is like that of a liquid – **מוֹחַל הָרִי הוּא כְּמִשְׁקָה**: Olive discharge that emerges from olives after they are pressed has the legal status of oil and is considered a liquid. It can become ritually impure and can render food susceptible to ritual impurity like other liquids. The *halakha* is in accordance with the opinion of Rabbi Ya'akov (Rambam *Sefer Tahara*, *Hilkhot Tumat Okhalin* 10:13).

A person may squeeze a cluster of grapes into a pot with food in it – **סוּחַת אֶדָם אֲשֶׁבּוּל שֶׁל עֲנָבִים לְתוֹךְ הַקֶּדֶרֶה**: It is permitted to squeeze juice from grapes into a pot of food on Shabbat in order to improve the flavor of the food, as liquid that is squeezed from fruit directly into food is considered food. However, it is prohibited to squeeze grapes into a bowl without food, or into a vessel that contains only liquids (*Hashlama*; *Me'iri*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 8:10; *Shulḥan Arukh*, *Orah Hayyim* 320:4).

One may milk a goat into a pot of food – **חֹלֵב אֶדָם עַיִן**: It is prohibited to milk an animal into an empty bowl on Shabbat and on a Festival. However, on a Festival, it is permitted to milk an animal designated for eating, provided the milk goes directly into a bowl of food to improve the food, or into a bowl with breadcrumbs that will absorb the milk. However, one may not milk all one's animals into a bowl with just one piece of bread in it. Nowadays, several authorities take into consideration the discomfort animals experience when they are not milked and allow milking into utensils containing just one piece of bread (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 8:10; *Shulḥan Arukh*, *Orah Hayyim* 505).

אֵלָּא, הֵיכֵן טַעְמָא בְּדַרְבֵּי חֲסִידָא: דְּאָמַר רַב חֲסִידָא: תְּרִדִין שְׁפָחְטָן וְנִתְּנָן בְּמִקְנָה – פּוֹסְלִין אֶת הַמִּקְנָה בְּשִׁנּוּי מִרְאָה. וְהָאֵלּוּ בְּנֵי סְחִיטָה מְנַהֵּוּ אֵלָּא מֵאֵי אֵית לָךְ לְמִימַר – כִּינן דְּאֲחֻשְׁבִּינָהּ – הָיָה לָהּ מִשְׁקָה. הֲכָא נִמְי כִּינן דְּאֲחֻשְׁבִּינָהּ הָיָה לָהּ מִשְׁקָה.

רַב פָּפָא אָמַר: מְשׁוּם דְּהָיָה דְּבַר שֶׁאֵין עוֹשִׂין מִמֶּנּוּ מִקְנָה לְכַתְּחִילָהּ, וְכָל דְּבַר שֶׁאֵין עוֹשִׂין מִמֶּנּוּ מִקְנָה לְכַתְּחִילָהּ – פּוֹסֵל אֶת הַמִּקְנָה בְּשִׁנּוּי מִרְאָה.

תַּנן הֵתָם: נָפַל לְתוֹכוֹ יֵין אוֹ חוֹמֶץ וּמוֹחַל וְשִׁנּוּי מִרְאָיו – פְּסוּל. מֵאֵן תֵּנָא דְּמוֹחַל מִשְׁקָה הוּא? אָמַר אַבְי: רַבִּי יַעֲקֹב הִיא. דְּתַנָּא, רַבִּי יַעֲקֹב אוֹמַר: מוֹחַל הָרִי הוּא כְּמִשְׁקָה. וְמָה טַעַם אָמַר "מוֹחַל הָרִי" הוּא צִיחָא בְּתַחֲלָה טְהוֹר – לְפִי שֶׁאֵינוֹ רוֹצֵה בְּקִיּוּמוֹ.

רַבִּי שְׁמַעוֹן אוֹמַר: מוֹחַל אֵינוֹ כְּמִשְׁקָה, וְמָה טַעַם אָמַר "מוֹחַל הָרִי" הוּא צִיחָא בְּתַחֲלָה טְהוֹר – לְפִי שֶׁאֵינוֹ רוֹצֵה בְּקִיּוּמוֹ.

מֵאֵי בִינְיָהוּ? אֵיכָא בִינְיָהוּ דְּאֵתִי בְּתַר אֵינְצִתָּא. רַבָּא אָמַר: מְשׁוּם דְּהָיָה דְּבַר שֶׁאֵין עוֹשִׂין מִמֶּנּוּ מִקְנָה, וּפּוֹסֵל אֶת הַמִּקְנָה בְּשִׁנּוּי מִרְאָה.

אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: סוּחַת אֶדָם אֲשֶׁבּוּל שֶׁל עֲנָבִים לְתוֹךְ הַקֶּדֶרֶה, אֲבָל לֹא לְתוֹךְ הַקְּעָרָה. אָמַר רַב חֲסִידָא, מִדְּבַרִי רַבִּינוּ לְמַד: חוֹלֵב אֶדָם עַיִן לְתוֹךְ הַקֶּדֶרֶה, אֲבָל לֹא לְתוֹךְ הַקְּעָרָה. אֵלְמָא קִסְבִּיר: מִשְׁקָה הֲבָא לְאֻכֹּל – אֻכֵּל הוּא.

Rather, this is the reason for Rav Nahman's statement: It is in accordance with the opinion of Rav Hisda, as Rav Hisda said: In the case of beets that one squeezed and then placed their juice in a ritual bath, the juice invalidates the ritual bathⁿ if it causes a change of appearance. Any liquid that causes the water of a ritual bath to change color invalidates the ritual bath. Rav Hisda elaborated: Aren't beets typically not designated for squeezing? Rather, what have you to say? Since he ascribed it significance, it is considered a liquid. Here, too, with regard to pomegranates, since he ascribed it significance, it is considered a liquid. Even if one person ascribes significance to a liquid, it assumes for him the status of a liquid and is prohibited on Shabbat.

Rav Pappa said that the reason Rav Hisda ruled that beet juice invalidates the ritual bath is because it is something with which one may not make a ritual bath *ab initio*, and there is a principle: Anything with which one may not make a ritual bath *ab initio*, i.e., anything other than water, snow, or ice, invalidates the ritual bath^h if it causes a change of appearance, even if it does not have the legal status of a liquid.

We learned in a mishna there, in tractate *Mikvaot*: If wine or vinegar or olive discharge, i.e., the liquid that comes from olives but is not oil, fell into a ritual bath and changed its appearance, the ritual bath is invalid.^h The Gemara asks: Who is the *tanna* who holds that olive discharge is considered liquid? Abaye said: It is Rabbi Ya'akov, as it was taught in a *baraita* that Rabbi Ya'akov says: The legal status of olive discharge is like that of a liquid.^h And what is the reason the Sages said that olive discharge that emerges at the outset, before one begins to press the olives for their oil, is ritually pure, meaning that it does not render food susceptible to ritual impurity? It is not because the olive discharge is not considered a liquid but because he does not want its existence; the owner would prefer that the olive discharge not yet emerge and instead emerge together with and mix with the oil.

Rabbi Shimon says: The legal status of olive discharge is not like that of a liquid. And what is the reason the Sages said that the olive sap that emerges from the bale of the olive press after the olives were pressed is capable of rendering foods susceptible to become ritually impure? Because it is impossible that it will not contain drops of oil that come with it from the olives.

The Gemara asks: What is the practical difference between them? They both agree that olive discharge that emerges at the outset is incapable of rendering food susceptible to ritual impurity and that olive discharge that emerges from the bale of the olive press is capable of rendering food susceptible to ritual impurity. The Gemara answers: There is a practical difference between them with regard to olive discharge that comes after extensive pressing; according to Rabbi Ya'akov, it is considered a liquid and renders food susceptible to ritual impurity, and according to Rabbi Shimon, it is not a liquid and does not render food susceptible to ritual impurity. Rava said: The reason that olive discharge invalidates a ritual bath is not because it is a liquid, but rather, because it is something with which one may not make a ritual bath *ab initio*, and it therefore invalidates a ritual bath if it causes a change of appearance.

Rav Yehuda said that Shmuel said: A person may squeeze a cluster of grapes on Shabbat into a pot with food in it,^h and it is not considered squeezing a liquid but rather adding one food to another; however, he may not squeeze the liquid into an empty bowl.ⁿ Rav Hisda said: From the statement of our Rabbi, Shmuel, we learn that one may milk a goat into a pot of food^h on Shabbat, because it is not considered to be the manner of squeezing that is prohibited as a subcategory of the labor of threshing; however, one may not do so into an empty bowl. The Gemara deduces: Apparently, he holds that liquid that comes into food is not considered liquid, but rather, it is food.

A *zav* who milks a goat, the milk is ritually impure – **הַחֵלֶב טָמֵא זָב שֹׁחֵלֵב אֶת הָעוֹ**: If a *zav* milks a goat, the milk is ritually impure from the very first drop (Rambam *Sefer Tahara*, *Hilkhot Tumat Okhalin* 9:2).

מְתִיב רַמִּי בַר חָמָא: זָב שֹׁחֵלֵב אֶת הָעוֹ – הַחֵלֶב טָמֵא וְאִי אִמְרַת "מִשְׁקָה הֵבֵא לְאוֹכְלִין אוֹכֵל הוּא – בְּמֵאֵי אֵיִתְקַשֵּׁר?

Rami bar Ḥama raised an objection from the following mishna: In the case of a *zav* who milks a goat, the milk is ritually impure^h whether or not the *zav* actually touched it, as a *zav* renders items ritually impure simply by moving them, or being moved by them, even without direct contact. And if you say that liquid that comes directly into food is food and not liquid, in the case of one who milked directly into a pot of food, the milk should be considered food. The *halakha* is that food cannot become ritually impure unless it is rendered susceptible to ritual impurity through contact with a liquid. With what liquid was this milk rendered susceptible to ritual impurity?

בְּדֹאמַר רַבִּי יוֹחָנָן: בְּטִיפָה הַמְּלוֹכֶלֶת עַל פִּי הַדֵּד. הֵבֵא נָמִי: בְּטִיפָה הַמְּלוֹכֶלֶת עַל פִּי הַדֵּד.

The Gemara answers: As Rabbi Yohanan said in a different context, that a particular statement is referring to the first drop, which is smeared on the top of the teat in order to moisten it and facilitate nursing or milking, here too, it is rendered susceptible to ritual impurity by means of the drop which is smeared on the top of the teat. This drop was not intended to fall into the pot of food and is therefore considered a liquid and renders the food susceptible to ritual impurity.

מְתִיב רַבִּינָא: טָמֵא מֵת שֶׁשָּׁחַט זֵיתִים וְעֵנָבִים.

Ravina raised an objection based on what we learned in another mishna: In the case of one who is ritually impure with impurity imparted by a corpse who squeezed olives or grapes

Perek XXII

Daf 145 Amud a

NOTES

One who smooths by squeezing grapes – **הַמְּחִילִיק**: Most of the commentaries on the Mishna explain the case differently, and a similar approach appears in the Jerusalem Talmud: The mishna is not discussing loaves of bread but cakes of pressed figs onto which one would pour grape juice. Some commentaries state that most of this liquid is lost, since it is not absorbed by the figs. Other authorities explain that the juice is intended to provide the figs with a polished sheen rather than to be consumed (see Rambam's Commentary on the Mishna, and other commentaries).

Everyone agrees...is not food – **לֹא אוֹכֵל**: The *ge'onim* had a variant text with an opposite formulation: Everyone agrees that...is food. Most commentaries agree that the Gemara reads better according to Rashi's version. However, the *halakha* is in accordance with the text of the *ge'onim* (Rashba).

HALAKHA

One who cuts olives – **הַמְּפַעֵעַ בְּיָתִים**: If one cuts olives with ritually impure hands, the olives are rendered susceptible to ritual impurity by the liquid that seeps out. They also become ritually impure, because cutting them completes their processing and they are then considered food, which can become ritually impure. However, if one cut them to salt them or to check if they have oil, they are not rendered susceptible to ritual impurity (Rambam *Sefer Tahara*, *Hilkhot Tumat Okhalin* 11:14).

כְּבִיצָה מְכוּוֹנָת – טָהוֹר. הָא יוֹתֵר מְכַבֵּיצָה – טָמֵא. וְאִי אִמְרַת "מִשְׁקָה הֵבֵא לְאוֹכְלִין אוֹכֵל הוּא" בְּמֵאֵי אֵיִתְקַשֵּׁר? הוּא מוֹתִיב לָהּ וְהוּא מְפָרֵק לָהּ: בְּסוֹחֵט לְתוֹךְ הַקֶּעֶרֶה.

in the exact amount of an egg-bulk, the liquid is ritually pure. Even though the *zav* touched the food, less than an egg-bulk of food cannot become ritually impure. Once the first drop of liquid is squeezed out, less than an egg-bulk of food remains, and it cannot render the liquid impure. By inference, if he squeezed more than an egg-bulk, the liquid is ritually impure. And if you say that liquid that comes into food is considered food, in what manner was this liquid rendered susceptible to ritual impurity? He raised the objection and he resolved it: It is referring to a case where one squeezes into an empty bowl, in which case the juice is considered a liquid.

אָמַר רַבִּי יִרְמְיָה: בְּתַנָּאִי, הַמְּחִילִיק בְּעֵנָבִים – לֹא הוֹכֵשׁ, רַבִּי יְהוּדָה אוֹמֵר: הוֹכֵשׁ. מֵאֵי לֹא בְּהָא קְמִיפְלָגִי. מִרְּסָב: מִשְׁקָה הֵבֵא לְאוֹכֵל – אוֹכֵל הוּא, וּמִרְּסָב: לֹא אוֹכֵל הוּא.

Rabbi Yirmeya said: The question of whether liquid squeezed directly from one food into another is considered liquid or food is parallel to the following dispute between *tanna'im*. We learned in a mishna: In the case of one who smooths bread before baking it by squeezing grapesⁿ onto it, the bread was not rendered susceptible to ritual impurity. Rabbi Yehuda says: It was rendered susceptible to ritual impurity. What, do they not disagree about this? One Sage held that liquid that comes into food is food, and therefore it cannot render bread susceptible to ritual impurity, and one Sage held that it is not food but rather a liquid, and therefore it renders the bread susceptible to ritual impurity.

אָמַר רַב פָּפָא: דְּבוּלֵי עֵלְמָא – מִשְׁקָה הֵבֵא לְאוֹכֵל – לֹא אוֹכֵל הוּא, וְהֵבֵא – בְּמִשְׁקָה הֵבֵא לְאִיבוּד קְמִיפְלָגִי. מִרְּסָב: מִשְׁקָה הוּא, וּמִרְּסָב: לֹא מִשְׁקָה הוּא. וּבְפִלּוּגְתָא דְּהָנִי תַנָּאִי, דְּתַנָּאִי: הַמְּפַעֵעַ בְּיָתִים בְּיָדֵים מְסוּאָבוֹת – הוֹכֵשׁ, לְסוֹפְתָן בְּמִלָּח – לֹא הוֹכֵשׁ.

Rav Pappa said that the disputes are not necessarily parallel; it can be explained that everyone agrees that liquid that comes into food is not food,ⁿ and here they disagree with regard to liquid that goes to waste, as the liquid that dripped onto the bread eventually evaporates due to the heat of the oven. One Sage, Rabbi Yehuda, held that it is nonetheless a liquid and therefore can render the bread susceptible to ritual impurity, and one Sage held that it is not a liquid. And they disagree in the dispute between these *tanna'im*, as it was taught in a *baraita*: In the case of one who cuts olives^h with soiled, i.e., ritually impure, hands, the olives are rendered susceptible to ritual impurity through the liquid that comes from them, and his hands render the olives ritually impure. If he cut them in order to dip them in salt, the olives are not rendered susceptible to ritual impurity, because if that liquid emerged from the olives against the owner's will, the liquid cannot render food susceptible to ritual impurity.

עֵינֵי רָאוּ וְלֹא – My eyes have seen it, and not another's – Abaye asked whether or not this statement was attributed to Rav in order to resolve the difficulty with regard to Shmuel, whose two statements are contradictory. Therefore, Rav Dimi told him exactly who transmitted this *halakha*, declaring that each is a reliable source. The attribution to Rav could therefore be relied upon as though they had heard the *halakha* directly from Rav himself.

לִידַע אִם הִגִּיעוּ וַיִּתְּנוּ לְמִסּוֹק אִם לֹא – לֹא הוֹכְשֵׁר, רַבִּי יְהוּדָה אָמַר: הוֹכְשֵׁר. מֵאִי לֹא בָּהֶּן קָמִיפְלִיגִי, דָּמַר סָבֵר: מִשְׁקָה הָעוֹמֵד לְאִיבּוּד – מִשְׁקָה הוּא, וְדָמַר סָבֵר: לֹא מִשְׁקָה הוּא.

If he was cutting in order to ascertain whether his olives have reached the stage of ripeness at which they are fit to be harvested or not, they are not rendered susceptible to ritual impurity. Rabbi Yehuda said: They are rendered susceptible to ritual impurity. What, do they not disagree with regard to this? One Sage, Rabbi Yehuda, held that liquid that emerges when one tests the olives but which stands to go to waste, is liquid and renders food susceptible to ritual impurity; and one Sage held that it is not liquid and does not render food susceptible to ritual impurity.

אָמַר רַב הוֹנָא בְּרִיהַ דְּרַב יְהוֹשֻׁעַ: הָיִי תַנָּאִי – בְּמִשְׁקָה הָעוֹמֵד לְאִיבּוּד פְּלִיגִי, וְהֵנָּךְ תַנָּאִי – בְּמִשְׁקָה הָעוֹמֵד לְצַחֲצַחָהּ קָמִיפְלִיגִי.

Rav Huna, son of Rav Yehoshua, said: The last two disputes are not necessarily parallel. These *tanna'im*, who disagreed with regard to olives, disagreed with regard to liquid that stands to go to waste, and those *tanna'im*, who disagreed with regard to the liquid on the bread, disagreed with regard to liquid that stands to be used to shine it.

אָמַר רַבִּי זִירָא אָמַר רַב חִיָּיא בַר אֲשִׁי אָמַר רַב: סוֹחֵט אֶדָם אֲשֶׁכּוּל שֶׁל עֲנָבִים לְתוֹךְ הַקֶּדֶרָה, אָבֵל לֹא לְתוֹךְ הַקֶּעֶרֶה. וְדָג לְצִיר – אֲפִילוּ לְתוֹךְ הַקֶּעֶרֶה.

Rabbi Zeira said that Rav Ḥiyya bar Ashi said that Rav said: A person may squeeze a cluster of grapes into a pot with food in it on Shabbat, because liquid that is squeezed directly into food is considered food rather than liquid; however, one may not do so into a bowl that is empty or that contains liquid. And squeezing a fish for its brine is permitted even into a bowl.

יָתִיב רַב דִּימִי וְקָאָמַר לָהּ לְהָא שְׂמַעְתָּ. אָמַר לִיהּ אַבְיִי לְרַב דִּימִי: אַתּוֹן מְשַׁמְיָה דְּרַב מִתְּנִיתוֹן וְלֹא קִשְׁיָא לָכוּ, אֲנִן מְשַׁמְיָה דְּשְׂמוּאֵל מִתְּנִינִן לָהּ – וְקִשְׁיָא לָן: מִי אָמַר שְׂמוּאֵל "דָּג לְצִיר" אֲפִילוּ לְתוֹךְ הַקֶּעֶרֶה" וְהָאִיתְמַר: כְּבָשִׂים שִׁסְחָטָן, אָמַר רַב: לְגוֹפֶן – מוֹתֵר, לְמִימֵיהֶן – פְּטוּר, אָבֵל אֲסוּר.

Rav Dimi sat and stated this *halakha*. Abaye said to Rav Dimi: You teach this *halakha* in the name of Rav and it is not difficult for you; we teach it in the name of Shmuel and it is difficult for us for the following reason: Did Shmuel say that it is permitted to squeeze a fish for its brine even into a bowl? Wasn't it stated that there was a dispute with regard to pickled vegetables that one squeezed?^h Rav said: If he wants to squeeze them because he needs the vegetables themselves without the liquid, it is permitted to do so even *ab initio* on Shabbat. And if he squeezes them because he needs their liquid, he is exempt from bringing a sin-offering, but it is prohibited to do so *ab initio*.

וּשְׁלָקוֹת – בֵּין לְגוֹפֶן בֵּין לְמִימֵיהֶן – מוֹתֵר. וְשְׂמוּאֵל אָמַר: אֶחָד כְּבָשִׂים וְאֶחָד שְׁלָקוֹת, לְגוֹפֶן – מוֹתֵר, לְמִימֵיהֶן – פְּטוּר אָבֵל אֲסוּר.

And with regard to boiled vegetables, whether he needs the vegetables themselves without their liquid or whether he wants to squeeze the vegetables for their liquids, it is permitted to squeeze them on Shabbat. And Shmuel said: With regard to both pickled vegetables and boiled vegetables, if he squeezes them for the vegetables themselves, it is permitted, and if he squeezes them for their liquids, he is exempt from bringing a sin-offering, but it is prohibited to do so *ab initio*. Apparently, squeezing fish for its brine^h falls into the category of squeezing boiled items for their liquid, which according to Shmuel is prohibited. As such, Shmuel's two statements appear contradictory.

אָמַר לִיהּ: הָאֱלֹהִים, "עֵינֵי רָאוּ וְלֹא זָר (כְּלוּ כְּלוּתֵי בַחֲקֵי וגו')". מִפּוֹמֵה דְּרַבִּי יִרְמְיָה שְׂמִיעַ לִי, וְרַבִּי יִרְמְיָה מִרְבֵּי זִירָא, וְרַבִּי זִירָא מִרְבֵּי חִיָּיא בַר אֲשִׁי, וְרַב חִיָּיא בַר אֲשִׁי מִרְבֵּי.

He said to him: You can certainly rely on my version of this statement. To underscore his point, he uttered the oath-like expression: By God! and applied the verse: "Whom I shall see for myself; my eyes have seen it, and not another's" (Job 19:27).ⁿ I heard this tradition from the mouth of Rabbi Yirmeya, and Rabbi Yirmeya heard it from Rabbi Zeira, and Rabbi Zeira heard it from Rav Ḥiyya bar Ashi, and Rav Ḥiyya bar Ashi heard it from Rav, and each transmitter of this tradition is a reliable source.

HALAKHA

כְּבָשִׂים שִׁסְחָטָן, etc. – It is permitted to squeeze pickled vegetables or boiled vegetables into an empty bowl if one's intention is to improve the taste of the vegetables and not to utilize their liquid. If one is squeezing them in order to utilize the liquid, it is permitted to squeeze the vegetables into a pot of food. Rabbeinu Ḥananel rules stringently and prohibits doing so even in that case. All the commentaries agree that it is prohibited to squeeze the vegetables for their liquid into an empty bowl. The ruling is based on the shared opinion of Shmuel and Rabbi Yohanan, who disagree with Rav's opinion that it is permitted to squeeze

boiled vegetables even for their liquid. However, the combined position of Rav and Shmuel, which is also confirmed by the Sage from the school of Menashe, overrules Rabbi Yohanan's view that one is liable to bring a sin-offering for that transgression (*Maggid Mishne*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:13; *Shulḥan Arukh*, *Orah Ḥayyim* 320:7).

דָּג לְצִיר – It is prohibited to squeeze fish to extract its brine, in accordance with the conclusion of the Gemara and the opinion of Shmuel and Rabbi Yohanan (*Shulḥan Arukh*, *Orah Ḥayyim*, 32:7–8).

Interprets the *baraita* according to his line of reasoning by emending the *baraita* and adding to it – מתוך לטעמיה: In general, emendations of tannaitic texts are only made when it can be proven that the current text is unreliable or has internal contradictions. In this context, since the issue is a *baraita*, which is always considered less authoritative than a *mishna*, and the text that appears in the *baraita* is difficult according to all known opinions on the matter, the Sages resolved the textual difficulty by adding a significant amount of text to the *baraita*.

HALAKHA

The prohibition of squeezing by Torah law – איסור סחיטה מן התורה: By Torah law, one is liable for squeezing only if one crushes grapes or olives to use the liquid. The prohibition to squeeze other types of fruit is by rabbinic law, in accordance with the Sage of the school of Menashe (Rambam *Sefer Zemanim, Hilkhot Shabbat* 8:10).

גופא: בבשים שסחטן, אמר רב: לגופן – מותר, למימיהן – פטור אבל אסור. ושלוקות, בין לגופן בין למימיהן – מותר. ושמואל אמר: אחד זה ואחד זה, לגופן – מותר, למימיהן – פטור אבל אסור. רבי יוחנן אמר: אחד בבשים ואחד שלוקות, לגופן – מותר, למימיהן – חייב חטאת.

מיתבי: סחטין בבשים בשבת לצורך השבת, אבל לא למוצאי שבת. וזיתים וענבים לא יסחוט, ואם סחט – חייב חטאת. קשיא לרב, קשיא לשמואל, קשיא לרבי יוחנן. רב מתוך לטעמיה, שמואל מתוך לטעמיה, רבי יוחנן מתוך לטעמיה.

רב מתוך לטעמיה: סחטין בבשים בשבת לצורך השבת, אבל לא למוצאי שבת. במה דברים אמורים – לגופן, אבל למימיהן – פטור אבל אסור. ושלוקות, בין לגופן בין למימיהן – מותר. וזיתים וענבים – לא יסחוט, ואם סחטן – חייב חטאת.

שמואל מתוך לטעמיה: סחטין בבשים בשבת לצורך השבת, הוא הדין לשלוקות. במה דברים אמורים – לגופן, אבל למימיהן – פטור אבל אסור. וזיתים וענבים – לא יסחוט, ואם סחט – חייב חטאת.

רבי יוחנן מתוך לטעמיה: סחטין בבשים לצורך השבת, אבל לא למוצאי שבת. אחד בבשים ואחד שלוקות, במה דברים אמורים – לגופן, אבל למימיהן – לא יסחוט, ואם סחט – נעשה כמי שסחט זיתים וענבים, וחייב חטאת.

אמר רב חייא בר אשי אמר רב: דבר תורה – אינו חייב אלא על דריסת זיתים וענבים בלבד. וכן תני דבי מנשה: דבר תורה – אינו חייב אלא על דריסת זיתים וענבים בלבד. ואין עד מפי עד כשר

Apropos the topic of squeezing pickled vegetables, the Gemara addresses the matter itself. We learned that with regard to pickled vegetables that one squeezed, Rav said that if he squeezes them for themselves, it is permitted, and if he squeezes them for their liquids he is exempt from bringing a sin-offering, but it is prohibited to do so *ab initio*; and with regard to boiled vegetables, if he squeezes them both for themselves and for their liquids it is permitted. And Shmuel said: With regard to both this, pickled vegetables, and that, boiled vegetables, squeezing for the vegetables themselves without liquid is permitted; squeezing them for their liquids, one is exempt, but it is prohibited to do so *ab initio*. Rabbi Yohanan said: With regard to both pickled vegetables and boiled vegetables, if one squeezes them for the vegetables themselves it is permitted; if one squeezes them for their liquids, he is liable to bring a sin-offering for having performed a labor prohibited by Torah law.

The Gemara raises an objection based on that which was taught in a *baraita*: One may squeeze pickled vegetables on Shabbat for the purpose of using them on Shabbat but not for the conclusion of Shabbat. And one may not squeeze olives and grapes at all on Shabbat, and if one squeezed them unwittingly, he is liable to bring a sin-offering. Apparently, it is permitted to squeeze pickled vegetables *ab initio* on Shabbat for any purpose, even for their juice, and if so, it is difficult according to the opinion of Rav, it is difficult according to the opinion of Shmuel, and it is difficult according to the opinion of Rabbi Yohanan, which all assert that squeezing pickled vegetables for their juice is prohibited on some level. The Gemara responds that Rav interprets the *baraita* according to his line of reasoning, Shmuel interprets the *baraita* according to his line of reasoning, and Rabbi Yohanan interprets the *baraita* according to his line of reasoning. The Gemara proceeds to elucidate how the *baraita* is explained according to each opinion.

Rav interprets the *baraita* according to his line of reasoning by emending the *baraita* and adding to it:^N One may squeeze pickled vegetables on Shabbat for the purpose of Shabbat, but not for the conclusion of Shabbat. In what case is this statement said? When one squeezes the vegetables for themselves; however, if one squeezes them for their liquid, he is exempt from bringing a sin-offering, but it is prohibited to do so. And with regard to boiled vegetables, whether one squeezes them for themselves or whether he does so for their liquid, it is permitted. And with regard to olives and grapes, one may not squeeze them at all, and if one squeezed them unwittingly he is liable to bring a sin-offering.

Shmuel interprets the *baraita* according to his line of reasoning by emending the *baraita* and adding to it: One may squeeze pickled vegetables on Shabbat for the purpose of Shabbat, and the same is true for boiled vegetables. In what case is this statement said? When one squeezes them for themselves; however, if he squeezes them for their liquids, he is not liable to bring a sin-offering, but it is prohibited to do so. And with regard to olives and grapes, one may not squeeze them at all, and if one squeezed them unwittingly, he is liable to bring a sin-offering.

And Rabbi Yohanan also interprets the *baraita* according to his line of reasoning by emending the *baraita* and adding to it: One may squeeze pickled vegetables for the purpose of Shabbat but not for the conclusion of Shabbat, and that ruling applies both to pickled vegetables and to boiled vegetables. In what case is this statement said? When one squeezes them for themselves, but if he does so for their liquids, one may not squeeze them, and if one squeezed them unwittingly, he becomes like one who squeezed olives or grapes, and he is liable to bring a sin-offering.

Rav Hiyya bar Ashi said that Rav said: By Torah law,^H one is only liable for stomping on olives and grapes, and all other prohibitions related to squeezing or juicing are rabbinic decrees and protective measures. And similarly, it was taught in the school of Menashe: By Torah law, one is only liable for stomping on olives and grapes. And it was taught in the school of Menashe: And testimony of one witness based solely on what he learned from the mouth of another witness, i.e., hearsay testimony, is valid

אֵלָא לְעֵדוּת אִשָּׁה בְּלִבָּד.

אִיבְעִי לָהּ עַד מִפִּי עַד לְעֵדוּת בְּכוֹר.
מִהוּ? רַב אֲמִי אָסִיר וְרַב אֲסִי שָׂרִי.

אָמַר לִיה רַב אֲמִי לְרַב אֲסִי: וְהָא תָנָא
דְּבִי מְנַשְׁיָא: אֵין עַד מִפִּי עַד כְּשֹׁר
אֵלָא לְעֵדוּת אִשָּׁה בְּלִבָּד! אִימָא:
לְעֵדוּת שְׁהָאִשָּׁה כְּשֹׁרָה לָהּ בְּלִבָּד.
רַב יִימָר אֲכַשְׁרֵי עַד מִפִּי עַד לְבָכוֹר.
קָרִי עָלֶיהָ מְרִימָר: יִימָר שָׂרִי בּוֹכָרָא.
וְהִלְכְתָּא: עַד מִפִּי עַד כְּשֹׁר לְבָכוֹר.

"חֲלוּת דְּבִשׁ". בִּי אֲתָא רַב הוֹשִׁיעָא
מִנְהַרְדְּעָא, אֲתָא וְאִימָתִי מִתְנִיתָא
בִּידֵיהּ: וַיִּתֵּם וַעֲנָבִים שְׂרִיפְקָן מִעֵרֵב
שִׁבְתָּ, וַיֵּצְאוּ מִעֲצָמָן – אֲסוּרִין, וְרַבִּי
אֶלְעָזָר וְרַבִּי שִׁמְעוֹן מִתִּירִין.

אָמַר רַב יוֹסֵף: גִּבְרָא יִתִּירָא אֲתָא
לְאַשְׁמַעְיָנָא? אָמַר לִיה אֲבִי: טוֹבָא
קָא מְשַׁמֵּעַ לָן, דְּאִי מִמְתְּנִיתִין –
הוּא אֲמִינָא: הָתָם הוּא – דְּמַעֲקָרָא
אוֹכְלָא וְלִבְסוֹף אוֹכְלָא, אֲבָל הָכָא
דְּמַעֲקָרָא אוֹכְלָא וְלִבְסוֹף מְשַׁקָּה –
אִימָא לָא, קָא מְשַׁמֵּעַ לָן.

only for testimony that a woman's husband died, enabling her to remarry.^{HH} Only in that case can a ruling rely on hearsay testimony, and that is specifically so the woman will be allowed to remarry.

A dilemma was raised before the Sages about a related matter: With regard to **hearsay testimony in testimony** permitting a priest to eat a firstborn animal,^N what is the *halakha*? After the destruction of the Temple, the Sages decreed that if a priest has the firstborn offspring of a kosher animal and it becomes blemished, he must bring witnesses to testify that he did not cause the blemish. Priests were suspected of violating the prohibition against inflicting a wound on firstborn animals to enable them to eat the animals. The question here pertains to a case in which there is no one available who can testify that he saw firsthand how the animal was blemished, but there is someone who heard from an eyewitness how the blemish was caused. **Rav Ami prohibited** accepting hearsay testimony in this case, **and Rav Asi permitted** doing so.

Rav Ami said to Rav Asi: Didn't the school of Menashya teach that **hearsay testimony is only valid in testimony enabling a woman to remarry**, indicating that it is not accepted in the case of a firstborn animal? Rav Asi answered: Emend the previously cited ruling and say: **Hearsay testimony is only valid in testimony for which the testimony of a woman is valid.** A woman's testimony is accepted with regard to the death of a man, enabling his wife to remarry, and it is also accepted with regard to a firstborn animal. **Rav Yeimar deemed hearsay testimony valid** in permitting the slaughter of a firstborn animal that developed a blemish. **Mareimar called him: Yeimar who permits the firstborn;** Mareimar was of the opinion that testimony of that kind is invalid and cannot provide the basis to allow the animal to be slaughtered. The Gemara concludes: **And the *halakha* is that hearsay testimony is valid with regard to a firstborn animal.**^H

We learned in the mishna that according to Rabbi Eliezer, honey that flows on its own from **honeycombs** is permitted on Shabbat. **When Rav Hoshaya came from Neharde'a, he came and brought a *baraita* with him:** With regard to olives and grapes that one crushed before Shabbat and their juices seeped out on their own^H on Shabbat, the juices are prohibited for use on Shabbat; and Rabbi Elazar and Rabbi Shimon permit using them.

Rav Yosef said rhetorically: **Did he merely come to teach us an additional person?** This opinion already appears in the mishna in the name of Rabbi Elazar. Did Rav Hoshaya cite the *baraita* merely to add the name of Rabbi Shimon? **Abaye said to him: He is teaching us a great deal, as if we learned this matter from the mishna alone, I would have said: It is there that it is permitted, because initially it was food and ultimately it remained food,** since it is possible to assert that the honey that seeped is a food rather than a liquid. **However, here, with regard to olives and grapes, which initially were food and ultimately became liquid, say that it is not permitted even according to Rabbi Elazar.** Therefore, **he is teaching us** that Rabbi Elazar rules leniently even in the case of olives and grapes.

HALAKHA

Those who are valid for testimony enabling a woman to remarry – **הַכְּשִׁירִים לְעֵדוּת אִשָּׁה:** Hearsay testimony is admissible to ascertain that a man died overseas, to enable his wife to remarry. Similarly, testimony is accepted for this purpose from a single witness, a woman, a slave, and a relative (Rambam *Sefer Nashim*, *Hilkhot Geirushin* 12:15; *Shulḥan Arukh*, *Even HaEzer* 17:3).

Testimony with regard to a firstborn animal – **עֵדוּת בְּכוֹר:** Hearsay testimony is admissible to ascertain that a firstborn animal's

blemish was not purposely inflicted by a priest (Rambam *Sefer Korbanot*, *Hilkhot Bekhorot* 2:15; *Shulḥan Arukh*, *Yoreh De'a* 314:5).

Olives and grapes that one crushed before Shabbat and their juices seeped out on their own – **וַיִּתֵּם וַעֲנָבִים שְׂרִיפְקָן מִעֵרֵב:** On Shabbat it is permitted to use liquid that seeps from olives and grapes that were crushed before Shabbat (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:15; *Shulḥan Arukh*, *Orach Hayyim* 252:5, 320:2).

NOTES

עֵדוּת אִשָּׁה – Testimony enabling a woman to remarry: This is referring to testimony that a woman's husband has died, which permits her to remarry. Testimony from people whose testimony is not accepted in other circumstances is accepted for this purpose, including a single witness, a witness providing secondhand testimony, certain relatives, women, slaves, a non-Jew who mentions it incidentally, and others. With regard to the reason for this leniency, see Rashi's commentary on the Gemara here. The Rambam explains that since testimony enabling a woman to remarry establishes a fact rather than attests to an action, and since if the testimony is false, the lie is likely to be exposed, it is not considered testimony in the formal, legal sense of the term.

Testimony permitting a priest to eat a firstborn animal – עֵדוּת בְּכוֹר: The Torah commands one to give the firstborn offspring of kosher animals to a priest. During the Temple period, unblemished firstborn animals were offered as sacrifices, and their meat would be eaten by the priests. Blemished firstborn animals also belonged to the priests, and the priests could eat them as non-sacred meat once experts determined that the blemish is permanent. Priests were suspected of purposely causing blemishes to firstborn animals so that they would be allowed to eat them. Consequently, the Sages decreed that priests could not eat the meat of a firstborn animal without testimony to the cause of the blemish. Since this testimony was required only to alleviate suspicion, the Sages were lenient with regard to its requirements.

HALAKHA

Any salted food item that was already placed in hot water, etc. – **כל שֶׁבֶּא בַחֲמִין וְכוּ** – One is permitted to soak food that was cooked before Shabbat and is dry, e.g., whose sauce was poured off (*Mishna Berura*), in hot water on Shabbat, even in a primary vessel, i.e., one that was heated directly on the fire (*Magen Avraham*). If the food was not yet cooked, it is permitted to rinse it with hot water from a secondary vessel, i.e., a vessel into which hot water was poured (*Magen Avraham*). However, it is prohibited to rinse old salted fish or other types of fish whose cooking process is completed in this manner (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:8; *Shulhan Arukh*, *Orah Hayyim* 318:4).

BACKGROUND

Kolyas ha'ispanin – **קוליים האִסְפָּנִין**: A kind of mackerel, also known as *Scomber colias*, which can be found in several bodies of water, none in the vicinity of Eretz Yisrael. Its skin is soft and thin, and it is not eaten cooked, but rather smoked or salted. According to the *ge'onim*, the Hebrew name for this fish is *shavut*.



Kolyas ha'ispanin

NOTES

The chicken of Rabbi Abba – **תְּרִגּוּלְתָּא דְּרַבִּי אַבְבָּא**: Some commentaries explain that this chicken was heavily salted. Therefore, it was necessary to soak it after cooking it to temper the saltiness (Rabbeinu Hananel).

Because they are not well-versed in Torah – **לְפִי שְׂאִינָן בְּנֵי** – **תוֹרָה**: Rabbi Elazar Moshe Horowitz explains that the general population of Babylonia was not well-versed in Torah. Therefore, they would not have respected their Sages if they did not dress in special garments.

LANGUAGE

Kutah – **כּוּתָּח**: From the Persian *katax*, meaning milk or buttermilk.

מתני' כל שֶׁבֶּא בַחֲמִין מִעֲרֵב שֶׁבֶת – שׁוֹרִין אוֹתוֹ בַּחֲמִין בְּשֶׁבֶת. וְכָל שֶׁלֹּא בָּא בַּחֲמִין מִעֲרֵב שֶׁבֶת – מְדִיחִין אוֹתוֹ בַּחֲמִין בְּשֶׁבֶת. חוּץ מִן הַמְּלִיחַ הַיָּשָׁן (וְדָגִים מְלִוּחִין קֻטְּנִים) וְקוֹלִיִּים הָאִסְפָּנִין, שֶׁהִדְחָתָן זֶה הֵיא גִמְרָא מְלָאכְתָּן.

גמ' כְּגוֹן מֵאִי? אָמַר רַב סַפְרָא: כְּגוֹן תְּרִגּוּלְתָּא דְּרַבִּי אַבְבָּא. וְאָמַר רַב סַפְרָא: זִימְנָא חָדָא אִיקְלָעִית לְהֶתֶם, וְאוֹכְלָן מִינֵיהּ, וְאִי לֹא רַבִּי אַבְבָּא דָּאֲשֵׁקִין חֲמָרָא בַר תְּלָתָא טַרְפֵּי – אֵיתַנְסִי.

רַבִּי יוֹחָנָן רִיִּיק מִכּוּתָּח דְּבַבְלָא. אָמַר רַב יוֹסֵף: וְלִירוֹק אֲנִי מִתְּרִגּוּלְתָּא דְּרַבִּי אַבְבָּא. וְעוֹד, אָמַר רַב גִּזָּא: זִימְנָא חָדָא אִיקְלָעִית לְהֶתֶם, וְעַבְדִּית כּוּתָּח דְּבַבְלָא, שְׂאִילוֹ מִינֵיהּ כָּל בְּרִיחֵי מַעְרָבָא.

"כָּל שֶׁלֹּא בָּא בַּחֲמִין וְכוּ". הֵדִיחַ מֵאִי? אָמַר רַב יוֹסֵף: הֵדִיחַ – חֲזִיב חֲסָאָת. אָמַר מַר בְּרִיה דְּרַבִּינָא: אִף אֲנִי נָמִי תִנְיָא "חוּץ מִמְּלִיחַ יָשָׁן וְקוֹלִיִּים הָאִסְפָּנִין שֶׁהִדְחָתָן זֶה הֵיא גִמְרָא מְלָאכְתָּן" שְׂמַע מִינֵהּ.

יְתִיב רַבִּי חֲזִיָּא בַר אַבְבָּא וְרַבִּי אֲסִי קָמִיה דְּרַבִּי יוֹחָנָן, וְיְתִיב רַבִּי יוֹחָנָן וְקָא מְנַמְנִים. אָמַר לֵיהּ רַבִּי חֲזִיָּא בַר אַבְבָּא לְרַבִּי אֲסִי: מַפְנֵי מָה עוֹפּוֹת שְׂבָבָבִל שְׂמִנִּים? אָמַר לֵיהּ: כִּלְךָ לְמַדְבַּר עֲזָה וְאַרְאֶךָ שְׂמִנִּים מִהֵן. מַפְנֵי מָה מוֹעֲדִים שְׂבָבָבִל שְׂמִיחִים? מַפְנֵי שֶׁהֵן עֲנִיִּים. מַפְנֵי מָה תְּלִמְדֵי חֲכָמִים שְׂבָבָבִל מְצוּיָנִין? לְפִי שְׂאִינָן בְּנֵי תוֹרָה. מַפְנֵי מָה גוֹיִם מוֹזְהָמִים? מַפְנֵי שְׂאוֹכְלִין שְׂקָצִים וְרַמְשִׁים.

MISHNA Any salted food item that was already placed in hot water,¹ i.e., cooked, before Shabbat, one may soak it in hot water even on Shabbat. And anything that was not placed in hot water before Shabbat, one may rinse it in hot water on Shabbat but may not soak it, with the exception of old salted fish and small salted fish and the *kolyas ha'ispanin*² fish, for which rinsing with hot water itself is completion of the prohibited labor of cooking.

GEMARA We learned in the mishna that an item that was cooked before Shabbat may be soaked in hot water on Shabbat. The Gemara asks: In what case would soaking in hot water be required after the item was already cooked? Rav Safra said: In the case of the chicken of Rabbi Abba,³ which for medical reasons was cooked so thoroughly that it completely dissolved. And Rav Safra said: One time I happened to come there and he fed me chicken prepared that way, and if not for the fact that Rabbi Abba gave me three-leaf-, i.e., year, old wine to drink, I would have been forced to vomit.

The Gemara relates that Rabbi Yohanan would spit from the thought of Babylonian *kutah*,⁴ because he found it so disgusting. Rav Yosef said: Then we should spit from the thought of Rabbi Abba's chicken, which is even more disgusting to people from Babylonia. And furthermore, Rav Gaza said: On one occasion I happened to come there, to Eretz Yisrael, and I prepared Babylonian *kutah*, and all of the sick people of the West, Eretz Yisrael, asked me for it. Apparently, not everyone in Eretz Yisrael found it disgusting.

We learned in the mishna: Anything that was not cooked in hot water before Shabbat, one may rinse it in hot water on Shabbat except for salted fish and *kolyas ha'ispanin*. The Gemara asks: If one unwittingly rinsed it, what is the *halakha*? Rav Yosef said: If one rinsed these foods, he is liable to bring a sin-offering for having performed the prohibited labor of cooking. Mar, son of Ravina, said: We, too, have also learned this ruling in the mishna, which states: Except for old salted fish and *kolyas ha'ispanin*, rinsing itself is completion of their prohibited labor of cooking. One who rinses these items is considered to have performed a prohibited labor. The Gemara concludes: Indeed, learn from this that this is the ruling.

Apropos relations between the Jews of Eretz Yisrael and Babylonia, the Gemara relates: Rabbi Hiyya bar Abba and Rabbi Asi were sitting before Rabbi Yohanan, and Rabbi Yohanan was sitting and dozing. In the meantime the two of them conversed. Rabbi Hiyya bar Abba said to Rabbi Asi: For what reason are the fowl in Babylonia fatter than those in Eretz Yisrael? He said to him: This is not at all the case; go to the desert of Gaza in Eretz Yisrael, and I will show you fowl that are fatter than them. Rabbi Hiyya bar Abba then asked: For what reason are Festivals in Babylonia more joyous than those in Eretz Yisrael? Rabbi Asi answered him: Because in Babylonia they are poor, and it is only on Festivals that they have a lot to eat, which causes them to rejoice. Rabbi Hiyya then asked: For what reason are Torah scholars in Babylonia distinguished by their special rabbinic garb? Rabbi Asi answered: Because they are not well-versed in Torah.⁵ If they would not distinguish themselves by dressing differently, they would not be respected for their Torah knowledge. He then asked: For what reason are gentiles ethically contaminated? He answered: Because they eat abominable creatures and crawling things, and that causes bad character traits.

As clear to you as the fact that your sister is forbidden to you – **ברור לך הדבר באחותך שהיא אסורה** – לך: A judge must investigate each case extensively and should not issue a ruling until the *halakha* is absolutely clear to him beyond a shadow of a doubt (Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 20:7; *Shulhan Arukh*, *Hoshen Mishpat* 10:1).

BACKGROUND

Branch bearer – **בעל זמורה**: Apparently, this title referred to a Roman official, since it was common for officials, called *licitor*, carrying a bundle of branches or staffs used to give lashes, to march before high-ranking officers as a sign of governmental authority.



Roman officials carrying bundles of staffs as a sign of authority

איתער בהו רבי יוחנן, אמר להו: דרדקי! לא כך אמרתי לכם "אמור לחכמה אחותי את" אם ברור לך הדבר באחותך שהיא אסורה לך – אומרהו, ואם לאו – לא תאמרהו! אמרו ליה: ולימא לן מר איזה מהן. מפני מה עופות שבבבל שמינים? מפני שלא גלו, שנאמר "שאנן מואב מנעוריו ושקט הוא אל שמריו ובגולה לא הלך".

והכא מנלן דגלו – דתנא, רבי יהודה אומר: חמשים ושתים שנה לא עבר איש ביהודה, שנאמר "על ההרים אשא בכי ונהי וגו' מעוף השמים ועד בהמה נדו הלוכו". בהמה בגמטריא חמשים ותרתין הו.

אמר רבי יעקב אמר רבי יוחנן: כולן חזרו, חוץ מקוליים האיספני. דאמר רב: הני מדרי דבבל מהדרי מיא לעין עיטם, והאי כיון דלא שריר שדריה לא מצי סליק.

מפני מה מועדים שבבבל שמיחים? מפני שלא היו באותה קללה, דכתיב "והשבתי כל משושה חגה חדשה ושבתי וכל מועדה". וכתוב "חדשיכם ומועדיכם שנאה נפשי היו עלי לטורח". מאי "היו עלי לטורח"? – אמר רבי אלעזר: אמר הקדוש ברוך הוא: לא דינן לישראל שחוטאין לפני, אלא שמטריחין אותי לידע איזו גזירה קשה אביא עליהן! אמר רבי יצחק: אין לך כל רגל ורגל שלא באתה בולשת ליציפורי. ואמר רבי חנינא: אין לך כל רגל ורגל שלא בא לטבריה אגמון וקמטון ובעל זמורה.

מפני מה תלמידי חכמים שבבבל מצויינין? לפי שאינן בני מקומן. דאמרי אינשי: במתא – שמאי, בלא מתא – תותבאי. "הבאים ישרו יעקב יצין ופרח ישראל", תני רב יוסף: אלו תלמידי חכמים שבבבל, שעושין ציצין ופרחים לתורה.

מפני מה גוים מזוהמין? שלא עמדו על הר סיני. שבשעה

Rabbi Yoḥanan woke up due to their discussion and said to them: You children, did I not tell you this, that the verse "Say to wisdom: You are my sister, and call understanding your kin" (Proverbs 7:4) means that if the matter is as clear to you as the fact that your sister is forbidden to you,¹ say it, and if not, do not say it; and these explanations that you offered are unfounded. They said to him: Then will the Master tell us the answers to some of them? He said to them: Why are the fowl in Babylonia fatter than those in Eretz Yisrael? Because they were not exiled, as it says: "Moab has been at ease since his youth and he has settled on his lees, and he was not emptied from vessel to vessel and did not go into captivity; therefore his taste remained in him and his scent did not change" (Jeremiah 48:11). Apparently, one who is not exiled retains his strength.

And here in Eretz Yisrael, from where do we derive that even the animals and birds were exiled? As it was taught in a *baraita*: Rabbi Yehuda says that no person passed through the land of Judea for fifty-two years, as it is stated: "I will raise crying and wailing for the mountains and a lamentation for the pastures of the wilderness, for they have been burned, with no person passing through, and they do not hear the voice of the cattle, from the bird of the heavens to the beast [*behema*, spelled *beit, heh, mem, heh*], all have fled and gone" (Jeremiah 9:9). *Behema* has a numerical value of fifty-two, alluding to the fact that no one passed through for fifty-two years. From the verse cited in this *baraita*, it is clear that even the animals and birds were exiled, as it states: "All have fled and gone."

Rabbi Ya'akov said that Rabbi Yoḥanan said: They all returned except for the *kolyas ha'ispanin*, as Rav said: Those inclines of Babylonia return the water through underground watercourses to the spring of Eitam in Eretz Yisrael, and the fish also returned through these watercourses. And this fish, the *kolyas*, because its spine is not strong, it could not ascend these watercourses and did not return to Eretz Yisrael.

Rabbi Yoḥanan continued to answer the questions of Rabbi Hiyya bar Abba and Rabbi Asi: For what reason are the Festivals in Babylonia more joyous than those in Eretz Yisrael? Because they were not included in that curse with which Eretz Yisrael was cursed, as it is written: "And I will cause all of her happiness to cease, her Festival, her New Moon, and her Shabbat and all her Festivals" (Hosea 2:13). And it is also written: "My soul hates your New Moons and your Festivals; they are a burden to Me; I am weary to bear them" (Isaiah 1:14). What is the meaning of the phrase: "They are a burden to me"? Rabbi Elazar said that the Holy One, Blessed be He, said: Is it not enough for the Jewish people that they sin before Me, that they also burden Me to know which harsh decree I will bring upon them? Rabbi Yitzḥak said: Because of this curse, there is not a single Festival on which troops did not come to Tzipori to conduct searches or to collect taxes. And Rabbi Ḥanina said: There is not a single Festival on which an *egmon*¹ and a *kamton*² and a branch bearer,³ Roman officials, did not come to Tiberias to collect taxes, thereby disrupting the festive celebrations.

For what reason are the Torah scholars in Babylonia distinguished by special garb? Because they are not native to that place and therefore require special dress to distinguish themselves, as people say in the folk expression: In my own city, I am honored for my name; in a place that is not my own city, I am honored for my clothing. The Gemara then praised the Sages of Babylonia by interpreting the verse "In days to come Jacob will take root, Israel will bud and blossom" (Isaiah 27:6). Rav Yosef taught: These are the Torah scholars in Babylonia, who add buds and blossoms to the Torah.

Rabbi Yoḥanan then explained to them: Why are gentiles ethically contaminated? It is because they did not stand on Mount Sinai. As when

LANGUAGE

Egmon – אגמון: From the Greek ἡγεμών, *egemon*, meaning general or ruler. It is usually written *hegmon*, with a *heh* instead of an *alef*.

Kamton – קמטון: From the Latin *comito*, meaning accompany or fol-

low. *Comito* originated from the Latin *comes*, meaning companion, which refers to the escorts of important people. The Latin word comes in the sense of government or a nobleman is derived from the same root (see Rashi).

NOTES

The snake came upon Eve – שָׂבַא נָחַשׁ עַל חַוָּה: See Rashi for the source of this homiletic interpretation. The majority of commentaries understood this phrase, the plain sense of which would refer to sexual intercourse, as a metaphor. As a consequence of Eve's accepting the snake's advice, humanity became morally corrupt, unable to become completely purified until the Torah was given to the Jewish people, or until the period of the Patriarchs, depending on the two views cited in the Gemara.

A person may break a barrel – שׁוֹבֵר אֶדָם אֶת הַחֲבִית: There is a dispute with regard to the rationale for this leniency. Rashi explained that it is based on the fact that breaking a barrel is a destructive act that does not constitute a violation of Torah law. The Ran and other commentaries add that destructive acts are only permitted *ab initio* in cases of this kind, where one performs the act to fulfill a Shabbat need.

To eat dried figs from it – לֶאֱכֹל הַיְמָנָה גְּרוֹגְרוֹת: The Hebrew term usually used for dried figs that were pressed together is *deveilim*. By using the term *gerogerot*, the mishna teaches that even if the figs were only somewhat attached due to their having been packed tightly together, it is permitted to bring a utensil to cut them apart and to open the barrel, even according to Rabbi Nehemya (*Adderet Eliyahu*).

שָׂבַא נָחַשׁ עַל חַוָּה הֵטִיל בָּהּ זֵהָמָא. וְיִשְׂרָאֵל שְׁעָמְדוּ עַל הָר סִינִי – פְּסָקָה וְזִהָמָתָן, גּוֹיִם שְׁלֹא עָמְדוּ עַל הָר סִינִי – לֹא פְּסָקָה וְזִהָמָתָן. אָמַר לִיהָ רַב אַחָא בְרִיה דְּרַבָּא לִרְבִּי אֲשִׁי: גְּרִיִּים מֵאִי? אָמַר לִיהָ: אֵף עַל גִּב דְּאִינְהוּ לֹא הָווּ, מִלְּיָהּ הָווּ, דְּכָתִיב "אֶת אֲשֶׁר יִשְׁנֶנּוּ פֶה עִמָּנוּ עוֹמֵד הַיּוֹם לִפְנֵי ה' אֱלֹהֵינוּ וְאֶת אֲשֶׁר אֵינָנו פֶּה גֹר".

the snake came upon Eve,^N i.e., when it seduced her to eat from the Tree of Knowledge, it infected her with moral contamination, and this contamination remained in all human beings. When the Jewish people stood at Mount Sinai, their contamination ceased, whereas gentiles did not stand at Mount Sinai, and their contamination never ceased. Rav Aḥa, the son of Rava, said to Rav Ashi: What about converts? How do you explain the cessation of their moral contamination? Rav Ashi said to him: Even though they themselves were not at Mount Sinai, their guardian angels were present, as it is written: "It is not with you alone that I make this covenant and this oath, but with he that stands here with us today before the Lord our God, and with he that is not here with us today" (Deuteronomy 29:13–14), and this includes converts.

וּפְלִיגָא דְּרַבִּי אַבְבָּא בַר כַּהֲנָא, דְּאָמַר רַבִּי אַבְבָּא בַר כַּהֲנָא: עַד שְׁלֹשָׁה דוֹרוֹת לֹא פְּסָקָה וְזִהָמָא מֵאַבְרָהָם, אַבְרָהָם הוֹלִיד אֶת יִשְׁמָעֵאל, יִצְחָק הוֹלִיד אֶת יַעֲקֹב, יַעֲקֹב הוֹלִיד שְׁנַיִם עֶשְׂרֵי שְׁבָטִים, שְׁלֹא הָיָה בָהֶן שׁוֹם דּוֹפִי.

The Gemara points out that this opinion disagrees with Rabbi Abba bar Kahana, as Rabbi Abba bar Kahana said: Until three generations passed, the moral contamination did not cease from our forefathers: Abraham fathered Ishmael, who was of lowly moral stature; Isaac fathered Esau; finally, Jacob fathered twelve tribes in whom there was no flaw. Rabbi Abba bar Kahana holds that the moral contamination ceased in the Patriarchs long before the Revelation at Sinai.

מתני' שׁוֹבֵר אֶדָם אֶת הַחֲבִית לֶאֱכֹל הַיְמָנָה גְּרוֹגְרוֹת, וּבִלְבָּד שְׁלֹא יִתְכַּוֵּן לַעֲשׂוֹת כְּלִי. וְאִין נֹקֵבִין מְגוּפָה שֶׁל חֲבִית – דְּבַרִּי רַבִּי יְהוּדָה, וְחַכְמִים מְתִירִין. וְלֹא יִקְבְּנָה מִצָּדָה, וְאִם הִיתָה נְקוּבָה – לֹא יִתֵּן עָלֶיהָ שֶׁעָה, מִפְּנֵי שֶׁהוּא מְמַרְחָ. אָמַר רַבִּי יְהוּדָה: מִעֲשָׂה בָּא לִפְנֵי רַבִּי יוֹחָנָן בֶּן זַכַּאי בְּעָרֵב, וְאָמַר: חֹשֶׁשׁנִי לוֹ מִחֲטָאתָ.

MISHNA A person may break a barrel^{NH} on Shabbat in order to eat dried figs from it,^N provided he does not intend to make a vessel. And one may not perforate the plug of a barrel^{HB} to extract wine from it; rather, one must remove the plug entirely to avoid creating a new opening for the barrel. This is the statement of Rabbi Yehuda. And the Rabbis permit puncturing the plug, but they too restrict this leniency and say that one may not perforate the plug of the barrel on its side. And if it was already perforated, one may not apply wax to it^H to seal the hole, because in doing so he spreads the wax evenly on the barrel and thereby violates the prohibited labor of smoothing. Rabbi Yehuda said: An incident of that kind came before Rabban Yoḥanan ben Zakkai in the city of Arav, and he said: I am concerned for him, because he may be liable to bring a sin-offering as a result of this.

גמ' אָמַר רַבִּי אוֹשְׁיָא: לֹא שָׁנוּ אֱלָא דְּרוֹסוֹת, אֲבָל מְפוֹרְדוֹת – לֹא. וּמְפוֹרְדוֹת לֹא?

GEMARA Rabbi Oshaya said: They only taught that it is permitted to break open a barrel when the figs were pressed together. This is because in that case it is permissible to use a utensil to separate the figs, that utensil may also be utilized to break open the barrel. However, if the figs were already separated, it is not permitted to handle a utensil for the sole purpose of breaking the barrel. The Gemara asks: And is it not permitted to break the barrel for separated figs?

BACKGROUND

Barrel and plug – חֲבִית וּמְגוּפָה: During the week, people would either remove the plug from a barrel or make a hole in it to pour out wine. Afterward they would seal it with wax to preserve the flavor of the wine.



Earthenware barrel with a plug or cover on top

HALAKHA

Breaking a barrel – שְׁבִירַת חֲבִית: On Shabbat, it is prohibited to break a barrel that was whole. However, if it was broken previously and its pieces were reattached with pitch or the like, it is permitted to break the barrel on Shabbat, provided that one does not intend to create a utensil. The *halakha* is in accordance with our mishna and the Gemara in tractate *Beitza* (*Tosafot*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:2; *Shulḥan Arukh*, *Orah Hayyim* 314:1).

Perforating the plug of a barrel – נְקִיבַת מְגוּפָה: It is permitted to perforate the top of a barrel plug, because it is not similar to

creating an opening in the barrel. The *halakha* is in accordance with the opinion of the Rabbis (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:2; *Shulḥan Arukh*, *Orah Hayyim* 314:6).

If it was already perforated, one may not apply wax to it – הִיתָה נְקוּבָה לֹא יִתֵּן עָלֶיהָ שֶׁעָה: On Shabbat, one may not spread wax over a hole on a barrel to seal it, because this is a violation of the labor of smoothing (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:11; *Shulḥan Arukh*, *Orah Hayyim* 314:11).

מיתבי, רבי שמעון בן גמליאל אומר: מביא אדם את החבית של יין ומתני ראשה בפיו, ומנחה לפני האורחים בשבת ואינו חושש! הריא רבנן, מתניתין – רבי נחמיה היא.

ומאי דחקיה דרבי אושעיא לאוקמי מתניתין פרבי נחמיה וברוסות, לוקמה במפורדות ורבנן! אמר רבא: מתניתין קשיתיה, מאי אירא דתני "גורגרות" ליתני "פירות"! אלא שמע מינה – בדרוסות.

תנא חדא: חותלות של גורגרות ושל תמרים – מתיר ומפקיע וחותר. ותנא אידך: מתיר, אבל לא מפקיע ולא חותר! לא קשיא: הא – רבנן הא – רבי נחמיה. דתנא, רבי נחמיה אומר: אפילו תרודו, ואפילו טלית, ואפילו סבין אין נשלין אלא לצורך תשמישן.

בעו מיניה מרב ששת: מהו למיברו חביתא בבורטא בשבתא? לפיתחא קמפיון – ואסיר, או דילמא: לעין יפה קמפיון, ושרי! אמר ליה: לפיתחא קא מבין – ואסיר.

מיתבי, רבן שמעון בן גמליאל אומר: מביא אדם חבית של יין ומתני ראשה בפיו! הן ודאי לעין יפה קמפיון. הך אס איתא דלעין יפה קמפיון – לפתוחי מיפתח.

"אין נוקבין מגופה וכו'". אמר רב הונא: מחלוקת למעלה, אבל מן הצד – דברי הכל אסור. והיינו דקתני "לא יקבנה מצדה", ורב חסדא אומר: מחלוקת מן הצד, אבל על גבה – דברי הכל מותר. והא דקתני "לא יקבנה מצדה" הן בגופה דחבית.

The Gemara raises an objection based on a *baraita*: Rabban Shimon ben Gamliel says: A person may bring a barrel of wine and cut off the top of the barrel with a sword⁴ and place it before the guests on Shabbat without concern that it is prohibited to move the sword or that doing so constitutes the creation of a new vessel, which is prohibited. Apparently, it is permitted to move a sword in order to open a barrel on Shabbat even if it is not needed to cut the contents of the barrel. The Gemara answers for Rabbi Oshaya: **That *baraita***, which cites the opinion of Rabban Shimon ben Gamliel, is in accordance with the opinion of **the Rabbis**, whereas **our mishna** is in accordance with the opinion of **Rabbi Neḥemya**, who said that it is prohibited to move any utensil on Shabbat for any purpose other than that for which the utensil is designated.

The Gemara asks: **And what forced Rabbi Oshaya to establish the mishna in accordance with the minority opinion of Rabbi Neḥemya** and to say that it is referring only to the case of a **pressed dried figs**? **Let him establish that the mishna is referring even to separated figs** and is in accordance with the opinion of **the Rabbis**. **Rava said: The mishna posed a difficulty for him; why did the *tanna* teach particularly about dried figs? Let him teach a more general *halakha* with regard to fruit. Rather, learn from here that the mishna is referring specifically to pressed dried figs, and it is because one requires a utensil to separate them that he may use it to open the barrel as well.**

It was taught in one *baraita*: If one has sealed, wicker baskets of dried figs or of dates,⁴ **one may untie the basket's knot on Shabbat, and un-braid the basket and cut it open. And it was taught in another *baraita*:** **One may untie the knot, but one may not unbraid or cut the basket.** There is a contradiction between these two *baraitot*. The Gemara resolves this contradiction: This is **not difficult**. **This *baraita***, which permits all of these actions, is in accordance with the opinion of **the Rabbis**. **That *baraita***, which prohibits unbraid and cutting, is in accordance with the opinion of **Rabbi Neḥemya**. **As it was taught in a *baraita* that Rabbi Neḥemya says:** Even a large spoon and even a cloak and even a knife may only be taken on Shabbat for their designated use, and it is therefore prohibited to take a knife to cut open baskets of fruit.

The students raised a dilemma before Rav Sheshet: **What is the *halakha* with regard to whether or not it is permitted to perforate a barrel with a spear [*burtiya*]⁴¹ on Shabbat?** Is the assumption that **one intends to make an opening** in the barrel and it is therefore **prohibited, or perhaps** is the assumption that **one merely intends to display generosity** and it is **permitted**? **Rav Sheshet said to them: He intends to make an opening in the barrel and it is prohibited.**

The Gemara raises an objection based on that which was taught in the *baraita* that Rabban Shimon ben Gamliel says: **One may bring a barrel of wine on Shabbat and cut off its top with a sword.** This contradicts Rav Sheshet's opinion that opening a barrel with a spear is prohibited? He answered them: **There**, in the case of the sword, since one essentially destroys the barrel by cutting off its top, **he certainly intends to display generosity** by breaking the barrel open in his guests' honor. However, **here**, in the case of spearing a hole in the barrel, **if it were true that he intends to display generosity, let him open** the top of the barrel by removing its plug. By perforating the barrel, he indicates that he specifically wants there to be a small hole.

We learned in the mishna: **And one may not perforate the plug** of a barrel; this is the statement of Rabbi Yehuda, and the Rabbis permit it. **Rav Huna said:** This **dispute** is only with regard to a case where one seeks to make a perforation **on top** of the plug; **however**, if he seeks to perforate it **from the side**, everyone agrees that it is **prohibited**, because people sometimes puncture a barrel beneath the plug in this way. **And that is what the mishna is teaching: One may not perforate it on its side.** Whereas **Rav Hisda said:** This dispute is with regard to a case where one seeks to perforate it **from the side**; **however**, if one seeks to perforate it **on top**, everyone agrees that it is **permitted**, and with regard to that which the mishna is teaching: **One may not perforate it on its side**, there it is referring to perforating the barrel itself, not the plug.

A person may bring a barrel of wine and cut off the top with a sword – **מביא אדם את החבית של יין ומתני ראשה בפיו**: One is permitted to remove the top of a barrel with a sword, because one is not creating an opening and one's intention is merely to display his generosity. However, making a hole in any other way is prohibited, in accordance with the opinion of Rav Sheshet (Rambam *Sefer Zemanim, Hilkhot Shabbat* 23:2; *Shulḥan Arukh, Oraḥ Hayyim* 314:6).

Wicker baskets of dried figs or of dates – חותלות ושל תמרים: If one has tightly woven baskets containing dried fruits, it is permitted to untie or cut the rope that keeps them closed, or even to cut the baskets themselves on Shabbat, in accordance with the opinion of the Rabbis in the *baraita* (*Shulḥan Arukh, Oraḥ Hayyim* 314:8).

NOTES

With a spear – בבורטא: Some commentaries explain that the term *burtiya* refers to a special type of drill used to make holes in the plugs of barrels. According to this explanation, it is easy to understand why Rav Sheshet would prohibit using this tool, because one would create a real opening in the same manner as he would during the week (see Rabbeinu Ḥananel and *Me'iri*).

LANGUAGE

Spear [*burtiya*] – בורטא: Either from the Greek βέλος, *belos*, meaning missile and ρυτήρ, *rutēr*, meaning one who draws a missile, or from the Latin verutum, meaning spear.

Any opening that is not made to insert and to remove is not an opening – עֲשׂוּי לְהַכְנִיִס – אֵינוֹ פֶּתַח. According to Torah law, only a hole that is used both to insert something into an area and to remove something from it is considered an opening. However, the Sages prohibited fashioning openings that serve only one of these purposes, as stated by Rabba. Included in this decree is the prohibition against creating a new hole in a barrel or adding to a preexisting hole on Shabbat. However, one may reopen an old hole that was sealed (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:1, 10:16).

תָּנוּ רַבָּנֵי: אֵין נוֹקְבִין נֶקֶב חֹדֶשׁ בַּשַּׁבָּת, וְאִם בָּא לְהוֹסִיף – מוֹסִיף. וְיֵשׁ אֲמָרִים: אֵין מוֹסִיפִין. וְשׁוּיִן שְׁנוֹקְבִין נֶקֶב יֵשׁ לְכַתְּחִילָהּ. וְתָנָא קָמָא, מַאי שָׁנָא מִנֶּקֶב חֹדֶשׁ דְּלֹא – דְּקָא מִתְקֵן פִּיתְחָא, אוֹסוּפִי נָמִי – קָא מִתְקֵן פִּיתְחָא!

אָמַר רַבָּה: דְּבַר תּוֹרָה – כָּל פֶּתַח שְׂאִינוֹ עֲשׂוּי לְהַכְנִיִס וּלְהוֹצִיא – אֵינוֹ פֶּתַח, וְרַבָּנִן הוּא דְּגִזְוֹר מִשּׁוּם לֹא שֶׁל תִּרְנְגוּלִין, דְּעֵבִיד לְעִיּוּלֵי אֲוִירָא וּלְאַפּוּקֵי הַבֵּלָא. "וְאִם בָּא לְהוֹסִיף מוֹסִיף" אוֹסוּפִי וְדַאי בְּלוּל שֶׁל תִּרְנְגוּלִים – לֹא אֶתִי לְאוֹסוּפִי.

The Sages taught in a *baraita*: One may not create a new hole in a vessel on Shabbat. And if one seeks to add to and widen an already existing hole, one may add to it; and some say that one may not even add to an already existing hole. And all opinions, even those who generally prohibit creating new holes, agree that one may perforate the seal over an old hole, even *ab initio*. And with regard to the opinion of the first *tanna*, the Gemara asks: What is different about perforating the seal over an old hole that makes it permitted, whereas creating a new hole is not permitted? Is it because in creating the new hole he is creating an opening? If so, by adding to an already existing hole he is also creating an opening.

Rabba said: Actually, even creating a new hole is not prohibited, because by Torah law, any opening that is not made to both insert and to remove is not considered an opening,¹⁴ and a hole that one perforates in a barrel is intended exclusively to remove the contents of the barrel. And it was the Sages who issued a decree that one may not perforate a vessel because it is similar to perforating a chicken coop, which is designated for use in both directions, e.g., to let in air and to let out heat, and it is therefore prohibited by Torah law. And therefore we learned that if one seeks to add to an existing hole one may add to it. There is no reason to prohibit this due to concern that one may do so in a chicken coop, because one will certainly not come to add to an already existing hole in a chicken coop,

Perek XXII

Daf 146 Amud b

HALAKHA

Perforating an old hole – לְנֶקֶב נֶקֶב יֵשׁ: With regard to a barrel with a hole that was sealed, if the hole was below the level of the sediment in the barrel, it is prohibited to open it on Shabbat. If the hole was above the level of the sediment, it is permitted, even if it is a large hole (*Mishna Berura*), in accordance with the *baraita* as explained by Rava (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:1; *Shulhan Arukh*, *Orah Hayyim* 314:2).

מִשּׁוּם רִיחַ שָׂא. "וְיֵשׁ אֲמָרִים: אֵין מוֹסִיפִים" – וְיִמְנִין דְּלֹא תִקְנִיָּה מַעֲיָקְרָא, וְאֶתִי לְאַרְוֵחֵי בֵּיהּ. דְּרִשׁ רַב נַחֲמָן מִשּׁוּם רַבִּי יוֹחָנָן: הִלְכָּהּ כִּיֵּשׁ אֲמָרִים.

"וְשׁוּיִן שְׁנוֹקְבִין נֶקֶב יֵשׁ לְכַתְּחִילָהּ". אָמַר רַב יְהוּדָה אָמַר שְׂמוּאֵל: לֹא שָׁנָא אֶלָּא בְּמָקוֹם הָעֲשׂוּי לְשִׁמּוֹר, אֲבָל לְחֹזֶק – אֲסוּר. הִיכִי דְּמִי לְשִׁמּוֹר, הִיכִי דְּמִי לְחֹזֶק? אָמַר רַב חֲסִידָא: לְמַעַל מִן הַיַּיִן – זֶהוּ לְשִׁמּוֹר, לְמַטָּה מִן הַיַּיִן – זֶהוּ לְחֹזֶק. רַבָּא אָמַר: לְמַטָּה מִן הַיַּיִן נִמְיָ זֶהוּ לְשִׁמּוֹר, וְהִיכִי דְּמִי לְחֹזֶק – כְּגוֹן שְׁנִיקְבָהּ לְמַטָּה מִן הַשְּׂמֵרִים.

because one does not want vermin to enter the coop. And when we learned that some say that one may not add to a preexisting hole, that ruling is also due to a decree lest one come to do so in a chicken coop, as sometimes one does not properly create the opening initially, and comes to expand it so that it will be fit for use. In that case, widening the opening is considered its completion. Rav Nahman taught in the name of Rabbi Yohanan: The *halakha* is in accordance with the statement cited as: Some say,

We learned in the *baraita*: And everyone agrees that one may perforate an old hole¹⁴ that was sealed *ab initio*. Rav Yehuda said that Shmuel said: They only taught this in a place where the hole is made to strain the wine from the sediment; however, if it was made to reinforce the barrel, it is prohibited (*ge'onim*). The Gemara asks: What are the circumstances in which a hole is considered to have been made to strain and what are the circumstances in which a hole is meant to reinforce the barrel? Rav Hisha said: If one perforates the barrel above the level of the wine, that is a hole designated to strain the wine, and if one perforates the barrel below the level of the wine, that is a hole designated to reinforce the barrel. Rava said: A hole made below the level of the wine is also designated to strain the wine, and what are the circumstances in which a hole is meant to reinforce the barrel? It is in a case where one perforated it below the sediment.

תנא – A baraita was taught that supports your opinion – Rabbi Akiva Eiger in *Derush VeHiddush* explains that the proof that Abaye cites from the *baraita* should not be understood as support for the opinion of Rava in his dispute with Rav Hisha. Rather, it is proof that when an opening has been sealed in the most effective manner possible, the original opening is completely negated and it is as though there had never been a hole.

ארבע אמות – Four cubits for each entrance to a house – *לביית*: In tractate *Bava Batra*, where the primary discussion of this *halakha* appears, the Gemara describes precisely how a courtyard that belongs to partners is divided. When heirs or partners split a courtyard, each receives a portion of the property, and additionally, each receives four cubits adjacent to every doorway to the courtyard that can be utilized as an entrance. In deciding these *halakhot*, it is crucial to know exactly what is defined as the house and what is considered the entrance.

Ritual impurity in a sealed house – טומאת בית סתום: Rashi and *Tosafot* disagree whether a sealed house transmits ritual impurity in a circumference of four cubits all around it like a grave, or whether it transmits ritual impurity only under ledges adjacent to the house, which would constitute a tent over a corpse were the corpse to be removed from the house at that location.

HALAKHA

ארבע אמות – Four cubits for each entrance to a house – *לביית*: When partners divide a courtyard, each is granted four cubits adjacent to each doorway to the courtyard, even if the entrance to the house was sealed. However, if the door frame was destroyed and the doorway sealed, then the entrance is totally negated and the owner does not receive the four cubits adjacent to it (Rambam *Sefer Kinyan*, *Hilkhot Shekhenim* 2:7; *Shulhan Arukh*, *Hoshen Mishpat* 172:1, 7).

Ritual impurity of a sealed house – טומאת בית סתום: A house in which there is a corpse transmits ritual impurity to the outside only through an opening through which the dead body could exit, even if the opening was sealed. However, if the house has no openings at all, or its doorposts have been destroyed and its entrances sealed, the house assumes the legal status of a grave and transmits ritual impurity to the entire surrounding area (Rambam *Sefer Tahara*, *Hilkhot Tumat Met* 7:1).

A reed in a barrel – קנה בחבית: It is permitted to insert a hollow reed into the hole in a barrel on Shabbat, even if there had never been a reed there previously, in accordance with Rabbi Yoshiya, whose statement supports the ruling of Shmuel (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:6; *Shulhan Arukh*, *Orach Hayyim* 314:5).

אמר ליה אביי לרבא: תנא דמסייע לך; "בית סתום – יש לו ארבע אמות, פרץ את פצימיו – אין לו ארבע אמות. בית סתום אינו מטמא כל סביביו, פרץ את פצימיו – מטמא כל סביביו."

Abaye said to Rava: A *baraita* was taught that supports your opinion^N that any opening retains its status unless it is absolutely clear that it is no longer used for that purpose. When dividing a courtyard between the owners of the houses in it, in addition to an equal share of the courtyard, each receives the four cubits adjoining each entrance leading from his house to the courtyard. A house with a sealed entrance still has the four cubits adjoining that entrance,^{NH} because the entrance can be reopened. It is only if one broke its doorposts and sealed the entrance that the entrance has been completely negated and it does not have the four cubits adjoining it. This applies similarly to the *halakhot* of ritual impurity: A house in which there is a corpse transmits ritual impurity only through its doorways. A house with sealed entrances does not render all of its surroundings ritually impure;^{NH} the ritual impurity only extends opposite the entrances. However, if one broke its doorposts, it is no longer considered an entrance, and it renders all of its surroundings ritually impure.

With regard to inserting a reed through a hole in a barrel^H in order to draw wine through it, Rav prohibited doing so on Shabbat, and Shmuel permitted doing so. The Gemara elaborates: With regard to cutting and inserting the reed *ab initio*, everyone agrees that it is prohibited, because this is considered fashioning a utensil. With regard to restoring a prepared reed to its place, everyone agrees that it is permitted. When they disagree is in a case where the reed has been cut but not yet inserted into the barrel. The one who prohibits doing so, Rav, holds that we issue a decree that prohibits inserting the reed due to the concern that perhaps one will come to cut the reed *ab initio* for this purpose; and the one who permits doing so, Shmuel, holds that we do not issue a decree in that situation.

The Gemara notes that Rav and Shmuel's dispute is parallel to a dispute between *tanna'im*: One may not cut a reed tube on a Festival, and needless to say, it is prohibited on Shabbat. And if it was already cut but fell, one may restore it to its place on Shabbat, and needless to say, it is permitted to do so on a Festival. And Rabbi Yoshiya is lenient in this matter.

The Gemara asks with regard to the statement of Rabbi Yoshiya: On which section of the *baraita* is he commenting? If you say that he is referring to the first clause of the *baraita*, which discusses cutting a tube, isn't he creating a vessel, which is a prohibited labor? How could Rabbi Yoshiya permit doing so? Rather, say that he is referring to the latter clause of the *baraita*, which discusses restoring a fallen tube to its place; the first *tanna* also permits doing so, leaving no room for further leniency by Rabbi Yoshiya. Rather, it is with regard to a case in which it was cut but not inserted into the barrel that there is a practical difference between them: One Sage, the first *tanna*, held that we issue a decree that prohibits doing so, and one Sage held that we do not issue a decree. The Gemara concludes: Rav Sheisha, son of Rav Idi, taught publicly in the name of Rabbi Yohanan: The *halakha* is in accordance with the opinion of Rabbi Yoshiya.

And we also learned in the mishna: And if the barrel was already perforated, one may not seal the hole with wax. There is a dispute among the *amora'im* whether or not it is permitted to seal that hole with oil: Rav prohibited doing so, and Shmuel permitted doing so. The Gemara explains: The one who prohibits doing so, Rav, holds that we issue a decree prohibiting oil due to concern lest one come to seal the hole with wax. And the one who permits doing so, Shmuel, holds that we do not issue a decree prohibiting oil due to concern lest one come to use wax to seal the hole. Rav Shmuel bar bar Hana said to Rav Yosef: How is Rav cited as prohibiting the sealing of the hole in a barrel with oil on Shabbat? You told us explicitly in Rav's name: Oil is permitted for use in sealing a hole.

גובתא, רב אסר, ושמואל שרי. מחתך לכתחלה – דכולי עלמא לא פליגי דאסור. אהדורי – דכולי עלמא לא פליגי דשרי. כי פליגי – דחתוכה ולא מתקנא. מאן דאסר – גורין דילמא אתי למיחתך לכתחלה, ומאן דשרי – לא גורין.

בתנאי: אין חותכין שפופרת ביום טוב ואין צריך לומר בשבת. נפלה – (אין) מחזירין אותה בשבת, ואין צריך לומר ביום טוב, ורבי יאשיה מיקל.

רבי יאשיה אהיא? אילימא ארישא – הא קמתקן מנא! אלא אסיפא – תנא קמא נמי משרא קשרי אלא: דחתוכה ולא מתקנא איכא ביניהו, מר סבר: גורין, ומר סבר: לא גורין. דרש רב שישא בריה דרב אידי משמיה דרבי יוחנן: הלכה כרבי יאשיה.

"ואם הייתה נקובה וכו'". מישחא: רב אסר, ושמואל שרי. מאן דאסר – גורין משום שעוה, ומאן דשרי – לא גורין. אמר ליה רב שמואל בר בר חנה לרב יוסף: בפירוש אמרת לן משמיה דרב מישחא שרי."

A myrtle leaf in a barrel – עלה הדס בקבית – One is prohibited to insert a myrtle leaf into the hole of a barrel to be used as a spout on Shabbat. The Sages prohibited this because one might come to fashion an actual spout. However, some authorities permit using a myrtle leaf when there are several cut leaves ready (Rosh and *Tur*), in accordance with the Gemara's explanation of Rav Ashi's ruling (*Shulḥan Arukh, Oraḥ Ḥayyim* 314:5 and in the comment of the Rema).

Types of felt – מיני לָבָד – It is prohibited to wrap oneself in hard felt in the manner in which one wears a garment and bring the cloth into a public domain or a *karmelit* on Shabbat. If the felt is not so hard and is thin, similar to regular garments (*Magen Avraham*, based on Rambam), it is permitted, in accordance with the Gemara's conclusion that even Rav is not strict in that case (Rambam *Sefer Zemanim, Hilkhot Shabbat*, 19:17; *Shulḥan Arukh, Oraḥ Ḥayyim* 301:35).

One may place a cooked dish into an empty pit – תבשיל לתוך הבור – One may place a pot of food into a pit on Shabbat to preserve it. In addition, one may place a vessel of potable water into non-potable water without being concerned that he appears to be insulating food in a prohibited manner (Rambam *Sefer Zemanim, Hilkhot Shabbat* 22:9; *Tur, Oraḥ Ḥayyim* 318).

Someone whose garments fell into water on the road, etc. – מי שנשרו בגדיו בדרך וכו' – In the case of one whose garments became wet on Shabbat, it is permitted to continue walking in them, and he need not be concerned that water will be squeezed from them. However, one may not lay them out to dry, because it creates the impression that one laundered the clothing on Shabbat. Once the Sages prohibited this, it was prohibited to do so even in the innermost chambers, where no one will see it (Rambam *Sefer Zemanim, Hilkhot Shabbat*, 22:20; *Shulḥan Arukh, Oraḥ Ḥayyim* 301:45).

NOTES

Cut and placed – דקטים ומנחי – Some commentaries explain that this means that the leaf was already cut and inserted into the hole in the barrel before Shabbat (Rabbeinu Ḥananel, *Me'iri*, and others).

אמר טבות רישבא אמר שמואל:
האי טרפא דאסא – אסור. מאי
טעמא? רב יימר מדפתי אמר: גזירה
משום מרוב, רב אשי אמר: גזירה
שמה יקטום. מאי בנייהו? איכא
בנייהו: דקטים ומנחי.

בי סדיא, רב אסר ושמואל שרי.
ברבין – דכולי עלמא לא פליגי
דשרי, בקשין – דכולי עלמא לא
פליגי דאסור, בי פליגי – במיצעי.
מאן דאסר – מיחזי כמשוי. ומאן
דשרי – לא מיחזי כמשוי.

והא דרב לאו בפירוש איתמר,
אלא מכללא איתמר. דרב איקלע
להוא אתרא דלא היה ליה רווחא,
נפק יתיב בכרמלית. אייתו ליה בי
סדיא – לא יתיב. מאן דחזא סבר –
משום דבי סדיא אסור. ולא היא.
דרב אכרוזי מכרוזי: בי סדיא שרי.
ומשום כבוד רבותינו לא ישב עליו.
ומאן מנחו – רב כהנא ורב אסי.

מתני' נותני תבשיל לתוך הבור
בשביל שיהא שמור, ואת המים
המים ברעים בשביל שיצננו, ואת
הצונן בחמה בשביל שייחמו. מי
שנשרו בגדיו בדרך במים – מהלך
בהן ואינו חושש. הגיע לחצר
החיצונה – שוטחן בחמה, אבל לא
בנגד העם.

The Gemara cites a statement that **Tavut the hunter said that Shmuel said:** With regard to **this myrtle leaf**, it is prohibited to insert it into a hole in a barrel^h to be used as a spout. The Gemara asks: **What is the reason for this?** Rav Yeimar of Difti said: It is a decree issued due to the concern lest one come to make an actual spout on Shabbat. Rav Ashi said: It is a decree issued lest one cut a myrtle leaf from its branch on Shabbat for this purpose. The Gemara asks: **What is the practical difference between them?** The Gemara answers: **There is a practical difference between them** in a case in which the leaves were already cut and placed,ⁿ as in that case, Rav Ashi's concern would not apply, but Rav Yeimar would still rule stringently.

The Gemara cites another dispute between Rav and Shmuel: With regard to **felt cloths** upon which people typically sit but that may also be worn as cloaks, the Sages disagreed whether or not one may wrap himself in them on Shabbat and transfer them from one place to another through a public domain. **Rav prohibited** doing so, and **Shmuel permitted** doing so. The Gemara elaborates: **With regard to articles made of soft felt**,^h everyone agrees that it is permitted, as their legal status is that of other garments. **With regard to articles made of hard felt**, everyone agrees that it is prohibited. **When they disagree**, it is with regard to felt articles that have an intermediate level of softness. **The one who prohibits** wearing them, Rav, holds that one who wears these as a garment **appears as one carrying a burden**, and **the one who permits** wearing them, Shmuel, holds that **it does not appear as one carrying a burden**, because the material appears to be a garment.

The Gemara points out that **this opinion attributed to Rav was not stated explicitly by him; rather, it was stated by inference**, i.e., based on Rav's conduct, it was concluded that this is his opinion. **As Rav happened to come to a certain place where there was not enough room for him and his students inside the house, and therefore, he went out and sat in a karmelit. They brought him felt cloths by wearing them outside, and he did not sit on them. One who saw this incident assumed that he refused to sit on them because it is prohibited to move cloths in this manner; however, that is not so**, as Rav used to proclaim that it is permitted to move articles made of felt in this manner. **And it was in deference to our Rabbis'** who were there that **he did not sit on it**, as he did not want to sit on a higher and more distinguished surface than they did. The Gemara adds: **And who were these Rabbis?** Rav Kahana and Rav Asi, who were Rav's disciples and colleagues.

MISHNA One may place a cooked dish into an empty pit^h on Shabbat so that it will be protected from the heat, and similarly, one may place good potable water into a vessel and place the vessel into bad, non-potable water so that the potable water will cool off. And one may also place cold water out in the sun so that it will be heated. They also taught: **Someone whose garments fell into water while walking on the road^h may replace them and continue to walk wearing them and need not be concerned about violating the prohibitions against wringing or laundering. When he reaches the outer courtyard of a place where he can leave his clothes, he spreads them in the sun to dry, but not opposite the masses**, as they will suspect him of laundering on Shabbat.

PERSONALITIES

Deference to our Rabbis – כבוד רבותינו – Rav Kahana and Rav Asi were among the first *amora'im* in Babylonia. When Rav arrived from Eretz Yisrael, they were already exceptionally learned. Nevertheless, they deferred to Rav and became his disciple-colleagues, accepting the halakhic traditions that he brought from Eretz Yisrael. Apparently, Rav Asi was the head of the yeshiva in the city of Hutzal and was considered to be the equal of Shmuel, Rav's colleague.

Rav Kahana was among the greatest Sages of the generation despite his young age. The Talmud recounts the powerful impression he eventually made on the leading Sages of Eretz Yisrael. Because of their greatness in Torah and their prominence, Rav showed tremendous deference to both Rav Kahana and Rav Asi. He even refused to sit on a raised surface so that he would not seem to be demeaning his respected colleagues relative to himself.

מִפְּנֵי מְרִאִית – Due to the appearance of prohibition – **הֵיזִין**: The *halakha* is in accordance with the opinion of Rav: Any action that is prohibited in public because it creates the appearance of wrongdoing is also prohibited in private. That is because the Sages do not make distinctions in their decrees, because if the decree is in effect only when the reason applies, it will not be observed. Nevertheless, there are authorities who are lenient in cases in which the decree was issued to prevent violation of rabbinic law. These authorities reason that in those cases, the Sages did not prohibit actions performed in private in their decree (*Tiferet Yisrael*).

גמ' פשיטא! מהו דתמיא: מגזר משום אשוויי גומות – קא משמע לן.

GEMARA The Gemara is puzzled by the *halakha* that was taught about placing food in a pit: It is **obvious** that it is permitted. The Gemara answers: **Lest you say: Let us issue a decree prohibiting this due to concern lest one perform the prohibited labor of leveling holes in the pit when he places the pot in it, it teaches us** that no decree was issued due to this concern.

"וְאֵת הַמַּיִם הַיְּפִים בְּרַעִים." פְּשִׁיטָא! סִיפָא אִינְצִטְרִיכָא לִיה "וְאֵת הַצּוֹנֵן בַּחֲמָה". הָא נָמִי פְּשִׁיטָא! מַהוּ דְּתִמְיָא: מְגִזֹּר דִּילְמָא אֵתִי לְאַטְמוּנִי בְּרַמָּץ, קָא מְשַׁמְעֵ לָן.

We also learned in the mishna: One may place **good water into bad water** on Shabbat in order to cool it off. The Gemara says: It is **obvious** that it is permitted. The Gemara explains: It is **necessary** to mention the latter clause of the mishna, which states that it is permitted to place cold water out in the sun. The Gemara expresses surprise: **This, too, is obvious.** The Gemara answers: **Lest you say that we should issue a decree prohibiting this action, because perhaps one will come to insulate it in hot ashes** to warm it up, which also heats the water without actually placing it on the fire, **it teaches us** that we do issue a decree in that case.

"מִי שֶׁנִּשְׁפָּרוּ וכו'". אָמַר רַב יְהוּדָה אָמַר רַב: מִכָּל מְקוֹם שֶׁאֶסְרוּ חֻכְמִים מִפְּנֵי מְרִאִית הָעֵין – אֶפִּילוּ בַּחֲדָרֵי תְּדָרִים אֶסְרוּ. תַּנּוּ: שׁוֹטְחָן בַּחֲמָה אָבֵל לֹא כִּנְגַד הָעַם! תִּנְאִי הִיא; דְּתִנְאִי: שׁוֹטְחָן בַּחֲמָה אָבֵל לֹא כִּנְגַד הָעַם. רַבִּי אֱלֵעָזָר וְרַבִּי שְׁמַעוֹן אוֹסְרִין.

We learned in the mishna that **one whose garments fell** into water need not be concerned about wringing or laundering the clothing and may replace them and continue walking, and then place them to dry in the sun, but not before the masses. This is so that they will not suspect him of laundering on Shabbat. In this regard, the Gemara cites that which Rav Yehuda said that Rav said: **Wherever the Sages prohibited an action due to the appearance of prohibition,ⁿ even in the innermost chambers** where no one will see it, **it is prohibited**, as the Sages did not distinguish between different circumstances. The Gemara says: **We learned in the mishna that one may spread them in the sun but not opposite the masses**, which contradicts that principle. The Gemara explains: It is a dispute between *tanna'im*, as it was taught in a *baraita*: **One may spread them out in the sun but not opposite the masses.** Rabbi Elazar and Rabbi Shimon prohibit doing so, which is a precedent for the opinion that Rav Yehuda stated in the name of Rav.

אָמַר רַב הוּנָא

Rav Huna said:

Perek XXII

Daf 147 Amud a

הַמְנַעַר טְלִיתוֹ בַּשַּׁבָּת – חֵיִיב חֻטָּאת. וְלֹא אָמְרוּ אֱלָא בַּחֲדָתִי, אָבֵל בְּעֵתִיקִי – לֵית לָן בֹּה. וְלֹא אָמְרוּ אֱלָא בְּאוֹכְמִי, אָבֵל בַּחֲיִינִי וְסוּמְקִי – לֵית לָן בֹּה. וְהוּא דְּקָפִיד עֲלֵיהּ.

One who shakes his cloak on Shabbat^{NH} to remove dust that collected on it is liable to bring a sin-offering for violating the prohibition of laundering. The Gemara qualifies this ruling: **We only stated this *halakha* with regard to new garments, but with regard to old garments, we have no problem with this behavior. And we only stated this with regard to black garments, but with regard to white or red garments, we have no problem**, as shaking off the dust would not be prohibited. **And this prohibition applies only when one is particular about keeping them clean**, but if one does not insist on wearing clean garments, **we have no problem with it**, i.e., it is not prohibited to shake off the dust.

עוֹלָא אִיקְלַע לְפּוּמְבִּדִּיתָא, חֲזָא רַבִּנָּא דְּקָא מְנַפְצִי גְּלִימֵיהּ. אָמַר: קְמַחֲלִין רַבָּנִן שַׁבָּתָא! אָמַר לְהוּ רַב יְהוּדָה: נִפְּוִצִי לִיה בְּאַפִּיָּה, אֲנִי לֹא קָפְדִּין מִיָּדִי.

The Gemara relates that Ulla happened to come to Pumbedita, and while there he saw rabbis shaking their cloaks to remove dust. He said: **The Rabbis are desecrating Shabbat.** Rav Yehuda said to the Rabbis whom Ulla criticized: You may continue to shake your cloaks in his presence. **We are not at all particular about this**, and it is therefore permitted for us to shake the dust from our cloaks.

אֲבַיִי הָוָה קָאִי קָמִיהּ דְּרַב יוֹסֵף, אָמַר לִיה: הֵב לִי בּוּמְתָאִי. [חֲזָא דְּאִיכָא] טָלָא עֲלֵיהּ, הָוָה קָמַחְסָא לְמִיתְבָּה לִיה. אָמַר לִיה: נְפּוֹץ שְׂדִי, אֲנִי לֹא קָפְדִּין מִיָּדִי.

The Gemara also relates that Abaye was standing before Rav Yosef. Rav Yosef said to him: **Give me my hat.** Abaye saw that there was dew on it, and he hesitated to give it to him, because he feared violating a prohibition by shaking off the dew. Rav Yosef said to him: **Shake off the dew and throw me the hat; we are not at all particular about the cleanliness of the hat**, and it is therefore permitted to shake off the dew.

NOTES

הַמְנַעַר טְלִיתוֹ – One who shakes his cloak on Shabbat **בַּשַּׁבָּת**: See the commentaries of Rashi and *Tosafot*. Others explain that this prohibition refers specifically to shaking actual dirt off one's garments. According to this explanation, the discussion with regard to dew on Rav Yosef's hat is not referring to dew but to dirt of some sort (Rabbeinu Hananel; Rabbeinu Yehonatan).

HALAKHA

הַמְנַעַר טְלִיתוֹ – One who shakes his cloak on Shabbat **בַּשַּׁבָּת**: One may not shake dew or water off his new black cloak on Shabbat if he would not wear it otherwise. One who does so is liable to bring a sin-offering for violating the prohibited labor of laundering. One is not liable for shaking dirt off a white or red garment on Shabbat (*Mishna Berura*). This is in accordance with the ruling of the Gemara as explained in *Tosafot* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:18; *Shulhan Arukh*, *Orah Hayyim* 302:1).

A cloak folded – **טלית מקופלת**: Many commentaries disagree over the precise definition of the Gemara's references to folding a cloak like a spout and forming Babylonian pockets (see Rashi and *Tosafot*), since the Gemara itself does not provide a precise description of the different methods of folding. Some authorities state that Babylonian pockets refer to folding the cloak on all sides into a cylindrical shape that appears like a bundle of vegetables. Some of the *ge'onim* have a variant reading of the text, *kushei baklayta*, meaning bundles of vegetables (*ge'onim*; *Me'iri*).

HALAKHA

היוצא בטלית – One who goes out with a cloak folded – **מקופלת**: It is prohibited to go out on Shabbat wearing a cloak if the top is covering one's head and the bottom is resting on his shoulders. However, if it covers one's body like a regular garment, it is permitted, in accordance with the explanation of Rabbeinu Hananel and the *Roke'ah* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 19:19; *Shulhan Arukh*, *Orah Hayyim* 301:29).

A shopkeeper who goes out with coins bound in his cloak is liable to bring a sin-offering – **היוצא במעות הצורין לו** – **בסדינו חייב חטאת**: One who walks from a private domain into a public domain on Shabbat with coins bound in his garments is liable because that is the standard way of carrying them. However, there is no prohibition to wear that garment in the home (Rema; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 12:12; *Shulhan Arukh*, *Orah Hayyim* 301:32).

יוצאין בסודר – Going out with a scarf on one's shoulder – **על כתפו**: One may go out on Shabbat with a scarf folded over his shoulder, even without tying a thread to his finger (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 19:19; *Shulhan Arukh*, *Orah Hayyim* 301:34).

Folding a cloak over one's body – **קיפול טלית על גופו**: If one goes out wrapped in a cloak on Shabbat, it is prohibited to fold it over on both sides or over his shoulders to prevent it from tearing or getting dirty. However, it is permitted to fold it in a manner that enhances one's appearance, according to local fashion (according to the Rambam's interpretation; *Shulhan Arukh*, *Orah Hayyim* 301:31).

אמר רב יצחק בר יוסף אמר רבי יוחנן: היוצא בטלית מקופלת מונחת לו על כתיפו בשבת – חייב חטאת. תנא נמי הכי סוחרי כסות היוצאים בטליתות מקופלות ומונחות על כתיפן בשבת – חייבין חטאת. ולא סוחרי כסות בלבד אמרו, אלא כל אדם, אלא שדרךן של מוכרין לצאת כך.

וחנוני היוצא במעות הצורין לו בסדינו – חייב חטאת. ולא חנוני בלבד אמרו, אלא כל אדם, אלא שדרךן של חנוני לצאת כך. והרשמי יוצאין בסודרין שעל כתיפן. ולא רשמי בלבד אמרו, אלא כל אדם, אלא שדרךן של רשמי לצאת בכך.

אמר רבי יהודה: מעשה בהורקנוס בנו של רבי אליעזר בן הורקנוס שיצא בסודר שעל כתיפו בשבת, אלא שנימא ברוכה לו באצבעו. וכשבא הדבר לפני חכמים אמרו: אפילו אין נימא ברוכה לו באצבעו. דרש רב נחמן בר רב חסדא משמיה דרב חסדא: הלכה – אי על פי שאין נימא ברוכה לו באצבעותיו.

עולא איקלע לבי אסי בר היני, בעו מיניה: מהו לעשות מרוב בשבת? אמר להו. הכי אמר רבי אלעי: אסור לעשות מרוב בשבת. מאי מרוב? אמר רבי וירא: כיסי בבלייתא.

רבי ירמיה הוה יתיב קמיה דרבי וירא. אמר ליה: הכי מאי? אמר ליה: אסור. והכי מאי? אמר ליה: אסור. אמר רב פפא: נקוט האי כללא בידך: כל אדעתא דלכנופי – אסור, כל דלהתנאות – שרי. כי הא דרב שישא בריה דרב אידי מתנאה בסדינו הוה.

כי אתא רב דימי אמר: פעם אחת יצא רבי לשדה, והיו שני צידי טליתו מונחין על כתיפו. אמר לפניו יהושע בן וירוי בן חמיו של רבי מאיר: בוז לא חייב רבי מאיר חטאת. אמר ליה: דקדק רבי מאיר עד כאן? שלשיל רבי טליתו.

Rav Yitzhak bar Yosef said that Rabbi Yohanan said: One who goes out with a cloak folded^{HH} and resting on his shoulder on Shabbat is liable to bring a sin-offering for carrying in the public domain. This ruling was also taught in a *baraita*: Clothing merchants who go outs with cloaks folded and resting on their shoulders on Shabbat are liable to bring a sin-offering. And they did not say this only with regard to clothing merchants; rather, any person is liable for this transgression, and they only stated the *halakha* in these terms because it is the usual manner for merchants to go out this way.

And likewise, a shopkeeper who goes out with coins bound in his cloak is liable to bring a sin-offering.^H And they did not say this only with regard to a shopkeeper; rather, any person is liable for this, and they only stated the *halakha* in these terms because it is the usual manner of a shopkeeper to go out this way. And runners, i.e., foot messengers, may go out on Shabbat with scarves on their shoulders, because this is how they typically wear them. And they did not say this only with regard to runners; rather, any person is permitted to do this, but it is simply the usual manner of runners to go out this way.

Rabbi Yehuda said: There was an incident involving Hyrcanus, son of Rabbi Eliezer ben Hyrcanus, who went outside with a scarf on his shoulder^H on Shabbat. However, a thread from the garment was tied around his finger so that the garment would not fall. When this matter came before the Sages, they said: It is permitted to go out in that manner even if a thread is not tied around one's finger. And likewise, Rav Nahman bar Rav Hisda taught in the name of Rav Hisda: The *halakha* is that one may go outside with a garment around one's shoulders even if a thread from the garment is not tied around one's finger.

Ulla happened to come to the house of Asi bar Hini. The members of the household asked him: What is the *halakha*: Is it permitted to make a spout of one's garment on Shabbat? Ulla said to them that this is what Rabbi Elai said: It is prohibited to make a spout on Shabbat. The Gemara asks: What is the spout referred to here? Rabbi Zeira said: It is referring to Babylonian pockets, which were formed by lifting up the bottom of the cloaks and tying them to their shoulders to make pocket-like folds in their garments.

The Gemara relates that Rabbi Yirmeya was sitting before Rabbi Zeira and showed him a certain fold and said to him: What is the *halakha* with regard to this kind of fold on Shabbat? He said to him: It is prohibited to make it on Shabbat. He then showed him another fold and asked: And what is the *halakha* with regard to this? He said to him: It is prohibited. Rav Papa said: Grasp this principle: Any fold made to gather one's clothing from the ground is prohibited, and any fold that is merely to beautify oneself is permitted, as the precedent of Rav Sheisha, son of Rav Idi, who was beautifying himself with his garment by folding it on his shoulders.

When Rav Dimi came from Eretz Yisrael to Babylonia, he said: On one occasion, Rabbi Yehuda HaNasi went out into a field, and the two sides of his cloak were resting on his shoulders.^H Yehoshua ben Zeiruz, son of the father-in-law of Rabbi Meir, said before Rabbi Yehuda HaNasi: In a case like this, didn't Rabbi Meir hold one liable to bring a sin-offering? Rabbi said to him: Was Rabbi Meir exacting to that extent, i.e., he considered wearing a garment in this fashion to be carrying on Shabbat? If so, it is preferable to avoid questionable practices; immediately Rabbi Yehuda HaNasi lowered his cloak from his shoulders.

הַרוֹחֵץ בְּמֵי מַעְרָה – One who bathes in cave water – In the period of the Mishna, ritual baths were not in buildings. Consequently, people would immerse themselves in natural bodies of water, often found in caves. Cave water in the Gemara seems to refer to hot water used as a ritual bath. The Rif and the Rambam explain that the water in these ritual baths was naturally hot, like the hot springs of Tiberias. On the other hand, the Ramban and Rabbeinu Yona explain that the cave water was heated by fire before Shabbat.

הַרוֹחֵץ דַּיְעָבֵד – One who bathes, after the fact – *Tosafot* in tractate *Sota* (2a) discuss certain aspects of talmudic grammar, including the question of whether a phrase beginning with the definite article הַ, meaning: One who..., expresses approval of an action after the fact, but does not allow it *ab initio*. *Tosafot* prove that this cannot be assumed in every instance where the definite article is employed. The style and context of the entire sentence must be examined to determine whether that conclusion is appropriate in each particular case.

LANGUAGE

קוֹרְדִּימָא – *kurdima*: This term seems to be an Aramaic synonym of *piluma*, which is the version found in some texts. The Greek form *πῆλωμα*, *pèleuma*, is derived from *πηλός*, *pelos*, meaning cement or thick mud. Some think that *kurdima*, or its alternate version, *kurima*, is the name of a specific river that is very muddy.

HALAKHA

רְחִיצָה בְּחֻמֵּי בִשְׁבָת – Bathing in hot water on Shabbat – It is prohibited to bathe one's entire body in hot water on Shabbat, even if the water was heated the day before. This prohibition applies even if one does not bathe one's entire body at once, but washes his limbs incrementally. However, it is permitted to wash part of one's body on Shabbat. It is also permitted to wash one's entire body in the hot springs of Tiberias. This applies only to bathing in the springs themselves but not in water drawn from the springs (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:20; *Shulhan Arukh*, *Orah Hayyim* 326:1).

כִּי אֵתָא רַבִּין אָמַר: לֹא יְהוֹשֻׁעַ בֶּן זִירוּז הָיָה – אֲלֵא יְהוֹשֻׁעַ בֶּן כְּפֻסָּא הָיָה, חֲתָנֹה שֶׁל רַבִּי עֲקִיבָא. אָמַר: בָּזוּ לֹא חֵיִיב רַבִּי עֲקִיבָא חֲטָאת. אָמַר לוֹ: דִּקְדַּק רַבִּי עֲקִיבָא עַד כָּאן? שֶׁלֹּשׁ רַבִּי טְלִיתוֹ. כִּי אֵתָא רַב שְׁמוּאֵל בַּר רַב יְהוּדָה אָמַר: נִשְׁאֵל אֵיתָמַר.

When Ravin came from Eretz Yisrael to Babylonia he said: It was not Yehoshua ben Zeiruz; rather, it was Yehoshua ben Kefusai, Rabbi Akiva's son-in-law, and he said: In a case like this, didn't Rabbi Akiva hold one liable to bring a sin-offering? Rabbi Yehuda HaNasi said to him: Was Rabbi Akiva exacting to that extent? If so, it is preferable to avoid questionable practices. Immediately, Rabbi Yehuda HaNasi lowered his cloak from his shoulders. When Rav Shmuel bar Rav Yehuda came, he said: This is not what happened, as Rabbi Yehuda HaNasi himself did not wear his cloak folded up on his shoulders on Shabbat. Rather it was stated that Rabbi was asked, meaning that this question came before him, and he wanted to rule leniently, until he was informed that some of the greatest Sages of the generation ruled stringently.

מִתְנִי' הַרוֹחֵץ בְּמֵי מַעְרָה וּבְמֵי טְבָרְיָא וְנִסְתַּפֵּג אֶפְלוּ בְּעֶשֶׂר אֱלֻנְטִיאוֹת – לֹא יָבִיֵּאם בִּידוֹ. אֲבָל עֲשָׂרָה בְּנֵי אָדָם מִסְתַּפְּגִין בְּאֱלֻנְטִיָּת אַחַת פְּמִיָּהֶם יְדִיָּהֶם וְרַגְלֵיהֶם, וּמִבִּיאִין אוֹתָן בִּידָן.

MISHNA One who bathes on Shabbat in a ritual bath formed by cave waterⁿ or in the water of Tiberias and dried himself even with ten towels may not carry them in his hand, lest he forget that it is Shabbat and wring the water from them. However, ten people may use one towel to dry their faces, hands, and feet, and may carry them in their hands. Even though in this case the towel would be quite wet, it is permitted to handle the towel because there are several people present, and they will remind each other that it is prohibited to wring a towel on Shabbat.

סָבִין וּמִמְשָׁמִשִּׁין, אֲבָל לֹא מִתְעַמְלִין וְלֹא מִתְגַּרְרִין. אִין יוֹרְדִין לְקוֹרְדִּימָא, וְאִין עוֹשִׂין אֶפְיקָטוּזִין, וְאִין מַעֲצָבִין אֶת הַקֶּטֶן, וְאִין מַחְזִירִין אֶת הַשֶּׁבֶר. מִי שֶׁנִּפְרָקָה יָדוֹ וְרַגְלוֹ לֹא יִטְרֵם בְּצוּנָן, אֲבָל רוֹחֵץ הוּא כְּדָרְכּוֹ, וְאִם נִתְרַפָּא – נִתְרַפָּא.

Apropos the waters of Tiberias, the mishna discusses the *halakhot* of bathing and medicine on Shabbat. One may smear oil on his body and gently rub his body with his hand; however, one may not exert himself with vigorous massage or by means of exercise in order to benefit from the therapeutic effects of sweating; and one may not scrape the oil off with a scraper. Additionally, one may not go into a swampy river [*kurdima*],¹ on Shabbat. And one may not make a drug to induce vomiting, nor may one align a young infant's bones to straighten them, nor may one reset a break in a bone. One whose hand or foot was dislocated may not move them about vigorously in cold water, which is the standard method of treatment; however, one may wash the limb in the typical manner, and if one is cured through this washing, he is cured.

גַּמ' קִתְּנִי מִי מַעְרָה דּוּמִיָּא דְּמֵי טְבָרְיָא, מִה מֵי טְבָרְיָא – חֻמֵּין, אֶף מִי מַעְרָה חֻמֵּין. "הַרוֹחֵץ" – דַּיְעָבֵד אִין, לְכַתְּחִילָה – לֹא מִכְּלָל.

GEMARA The *tanna* of the mishna teaches the case of cave water that is similar to the case of water of Tiberias; just as the water of Tiberias is hot, so too the cave water is hot.¹⁴ The Gemara also infers from the formulation of the mishna: With regard to one who bathes, after the fact,ⁿ yes, one may dry himself; however, one may not bathe *ab initio*, as had the mishna intended to permit bathing *ab initio* it would have said: One may bathe in cave water. This proves by inference

Perek XXII

Daf 147 Amud b

דְּלֶה שֶׁתִּטֵּף כָּל גּוּפוֹ, אֶפְלוּ לְכַתְּחִילָה – שְׁפִיר דְּמִי. מִנֵּי רַבִּי שְׁמַעוֹן הִיא, דְּתַנָּא: לֹא יִשְׁתַּטֵּף אָדָם בֵּין בְּחֻמֵּין בֵּין בְּצוּנָן, דְּבִרִּי רַבִּי מֵאִיר. רַבִּי שְׁמַעוֹן מַתִּיר. רַבִּי יְהוּדָה אוֹמֵר: בְּחֻמֵּין – אֲסוּר, בְּצוּנָן – מוּתָר.

that rinsing one's entire body by pouring water on it rather than bathing in the standard fashion may well be done even *ab initio*. The Gemara asks: According to whose opinion is our mishna? The Gemara answers: It is in accordance with the opinion of Rabbi Shimon, as it was taught in a *baraita*: One may not rinse himself on Shabbat, neither with hot water nor with cold water; this is the statement of Rabbi Meir. Rabbi Shimon permits rinsing one's body even with hot water. Rabbi Yehuda says that there is a distinction: With hot water it is prohibited and with cold water it is permitted.

סָכִין וּמִשְׁמָשִׁין. תָּנוּ רַבֵּנּוּ: סָכִין וּמִשְׁמָשִׁין בְּבִנְיַם מַעֲיִים בַּשַּׁבָּת, וּבְלִבְדּוֹ שְׁלֹא יַעֲשֶׂה דְּדֶרֶךְ שֶׁהוּא עוֹשֶׂה בַחֹל. הֵיכִי עֵבִיד? רַבִּי חָמָא בַר חֲנִינָא אָמַר: סָךְ וְאַחֵר כֶּךָ מִשְׁמָשִׁם, רַבִּי יוֹחָנָן אָמַר: סָךְ וּמִשְׁמָשִׁם בְּבֵת אַחַת.

”אֲבָל לֹא מִתְעַמְלִין.” אָמַר רַבִּי חִיָּיא בַר אֲבָא אָמַר רַבִּי יוֹחָנָן: אֲסוּר לַעֲמֹד בְּקִרְקַעֲיָתָהּ שֶׁל דֵּיּוֹמֶסֶת, מִפְּנֵי שְׁמַעְמֶלֶת וּמִרְפָּא. אָמַר רַבִּי יְהוּדָה אָמַר רַב: כָּל יְמֵיהָ שֶׁל דֵּיּוֹמֶסֶת עֲשָׂרִים וְאַחַד יוֹם, וְעֲצֵרֶת מִן הַמָּנֶן. אִיבַעֲיָא לָהּ: עֲצֵרֶת (בַּתְּחִלָּה) לְהֵאֵי גִיסָא, אוֹ לְהֵאֵי גִיסָא? תָּא שְׁמַע, דְּאָמַר שְׁמוּאֵל: כּוֹלְהוּ שְׁקִינִי מִדִּיבְחָא וְעַד עֲצֵרֶתָא מַעֲלוּ. דִּילְמָא, הָתָם הוּא – דְּכֻמָּה דְקָרִיר עֲלֵמָא מַעֲלִי, אֲבָל הָכָא מְשֻׁם הַבֵּלָא הוּא, כִּיּוֹן דְחָמִים עֲלֵמָא – טָפִי מַעֲלִי.

אָמַר רַבִּי חֲלָבוֹ: חֲמָא דְפְרוּגִיָּתָא וּמֵיא דְדֵיּוֹמֶסֶת קִיפְחוּ עֲשָׂרֶת הַשְּׁבָטִים מִיִּשְׂרָאֵל.

רַבִּי אֶלְעָזָר בֶּן עֶרֶךְ אִיקְלַע לְהֵתָם, אִימְשִׁיד בְּתַרְיָהוּ וְאִיעֲקַר תַּלְמוּדִיהָ. כִּי הָדָר אָתָא, קָם לְמִיקְרֵי בְּסַפְרָא. בָּעָא לְמִיקְרָא “הַחֹדֶשׁ הַזֶּה לָכֶם” אָמַר: הַחֹדֶשׁ הַזֶּה לָכֶם. בָּעִי רַבֵּנּוּ רַחֲמֵי עָלֶיהָ, וְהָדָר תַּלְמוּדִיהָ.

וְהֵיכִינָּה דִתְנָן, רַבִּי נְהוֹרָאִי אָמַר: הָיוּ גּוֹלָה לְמִקּוֹם תּוֹרָה, וְאֵל תֹּאמַר שֶׁהִיא תִּבְאֵא אַחֲרֶיךָ, שְׁחַבְרִיךָ יְקִימוּהָ בִידְךָ, וְאֵל בִּינְתָךְ אֵל תִּשְׁעֵן. תִּנָּא: לֹא רַבִּי נְהוֹרָאִי שְׁמוֹ אֶלָּא רַבִּי נְחֵמְיָה שְׁמוֹ, וְאָמַר לֵה רַבִּי אֶלְעָזָר בֶּן עֶרֶךְ שְׁמוֹ, וְלָמָּה נִקְרָא שְׁמוֹ רַבִּי נְהוֹרָאִי – שְׁמִנְהִיר עֵינֵי חֲכָמִים בְּהַלְכָּהּ.

We learned in the mishna: One may smear oil and rub a person's body by hand on Shabbat. The Sages taught in a *baraita*: One may smear oil on and rub his intestinal area on Shabbat,^h and it is not a prohibited form of healing, provided he does not do so in the manner in which he does during the week. The Gemara asks: How then does one do this on Shabbat? Rabbi Hama bar Hanina said: One first smears oil and afterward rubsⁿ the body. And Rabbi Yohanan said: One smears oil and rubs simultaneously.

The mishna taught: However, one may not exert himself^h on Shabbat. Rabbi Hiyya bar Abba said that Rabbi Yohanan said: It is prohibited to stand on the floor of the therapeutic bathhouse of Deyomset^{HL} on Shabbat, because it warms and heals even if one is not bathing or exerting himself. Rav Yehuda said that Rav said: The entire period that bathing in Deyomset is therapeutic is twenty-one days; and *Shavuot* is included. The Gemara raises a dilemma: Is *Shavuot* on this side, at the beginning, of the twenty-one-day period, or on this side, at the end, of the twenty-one days? Come and hear a resolution to this dilemma from that which Shmuel said: All medicinal drinks are effective from Passover to *Shavuot*; apparently, the waters of the Deyomset are therapeutic in the time period leading up to *Shavuot*. The Gemara rejects this proof: Perhaps there, with regard to medicinal drinks, it is so, because the cooler the world, the better these drinks heal; however, here, with regard to bathing, the therapeutic effect is due to the heat, and therefore the warmer the world, the better. The time period during which bathing is effective would only begin with *Shavuot*.

Apropos Deyomset, the Gemara cites that Rabbi Helbo said: The wine of Phrygia [*Perugaita*]^l and the water of the Deyomset deprived Israel of the ten lost tribes. Because the members of these tribes were attracted to the pleasures of wine and bathing and did not occupy themselves with Torah, they were lost to the Jewish people.

The Gemara relates that once Rabbi Elazar ben Arakh^p happened to come there, to Phrygia and Deyomset, and he was drawn after them, and his Torah learning was forgotten. When he returned, he stood to read from a Torah scroll and was supposed to read the verse: “This month shall be for you [*hahodesh hazeh lakhem*]” (Exodus 12:2),ⁿ but he had forgotten so much that he could barely remember how to read the Hebrew letters, and instead he read: Have their hearts become deaf [*haḥeresh haya libbam*], interchanging the similar letters *reish* for *dalet*, *yod* for *zayin*, and *beit* for *khaf*. The Sages prayed and asked for God to have mercy on him, and his learning was restored.

And that is what we learned in a mishna that Rabbi Nehorai says: Exile yourself to a place of Torah and do not say that it will follow you, as if you are in a place of Torah, your colleagues will establish it in your hands, and do not rely on your understanding alone. It was taught: Rabbi Nehorai was not his name, but rather Rabbi Nehemya was his name; and some say that Rabbi Elazar ben Arakh was his name and his statement was based on the personal experience of forgetting his Torah due to his failure to exile himself to a place of Torah. And why was he called Rabbi Nehorai? It was because he would illuminate [*manhir*] the eyes of the Sages in *halakha*.

One may smear oil on and rub his intestinal area on Shabbat – סָכִין וּמִשְׁמָשִׁין בְּבִנְיַם מַעֲיִים בַּשַּׁבָּת: One may smear oil on and massage the intestinal area on Shabbat, but it must be performed in a manner different from the manner it is performed during the week. Therefore, one applies the oil and rubs immediately, and he does so gently and not vigorously, as per the opinion of Rabbi Yohanan (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:28; *Shulḥan Arukh*, *Orah Hayyim* 327:2).

One may not exert himself – לֹא מִתְעַמְלִין: Exertion is prohibited on Shabbat. For example, it is prohibited to step on someone's body to cause him to sweat. It is similarly prohibited to walk or exercise in order to sweat. This is included in the decree prohibiting medical treatments on Shabbat (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:28; *Shulḥan Arukh*, *Orah Hayyim* 328:42).

It is prohibited to stand on the floor of Deyomset – אֲסוּר לַעֲמֹד בְּקִרְקַעֲיָתָהּ שֶׁל דֵּיּוֹמֶסֶת: It is prohibited to stand on the floor of the Deyomset bathhouse on Shabbat, because the water warms and heals, and healing is prohibited on Shabbat (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:28).

NOTES

סָךְ וְאַחֵר כֶּךָ – סָכִין וּמִשְׁמָשִׁין: This means that one smears oil on a specific part of his body and immediately rubs it, which differs from the standard method during the week, which involved smearing oil on his entire body and only then rubbing in the oil (*Me'iri*).

This month shall be for you [*hahodesh hazeh lakhem*], etc. – הַחֹדֶשׁ הַזֶּה לָכֶם וכו': Rabbi Elazar's error resulted from the similarity between the letters *reish* and *dalet*, *yod* and *zayin*, and *beit* and *khaf*. The Gemara relates the details of the error to underscore that even Rabbi Elazar ben Arakh, who was likened to an ever-flowing spring, reached so lowly a state when he left the company of the Sages (Maharsha).

LANGUAGE

Deyomset – דֵּיּוֹמֶסֶת: The origin of this word is unclear. Some authorities suggest that it refers to the bathhouses of the ancient city Emmaus, and Deyomset is a corrupted version of the name of that city. Other commentaries suggest that the word derives from the Greek δημόσιος, *demosios*, an adjective that refers to a public area, especially a bathhouse.

Phrygia [*Perugaita*] – פְּרוּגִיָּתָא: This is a reference to the small kingdom of Phrygia, Φρυγία, in Asia Minor.

PERSONALITIES

Rabbi Elazar ben Arakh – רַבִּי אֶלְעָזָר בֶּן עֶרֶךְ: A preeminent disciple of Rabban Yohanan ben Zakkai, at the time of the destruction of the Second Temple. Rabban Yohanan ben Zakkai perceived Rabbi Elazar ben Arakh as his most outstanding disciple, surpassing both Rabbi Yehoshua and Rabbi Eliezer HaGadol, and praised him greatly, both in his presence and in his absence. He was a great scholar of *aggada* and of the esoterica of the Torah. However, as

the midrash relates, he did not wish to settle with his colleagues in Yavne. Rather, following his wife's advice, he settled elsewhere, abandoning his Torah study, as the Gemara here relates. Apparently, he died young, long before his contemporaries. As such, Rabbi Elazar ben Arakh left a limited imprint in talmudic literature. The stamp of his genius is apparent despite its absence from so many other realms.

BACKGROUND

Scraper – **מְגִרָּתָהּ**: Scrapers were used to clean oil off the body after lubrication.

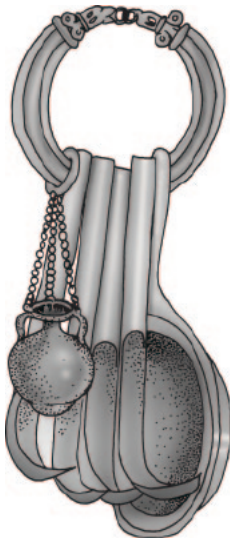


Illustration of a ring containing silver scrapers and an oil dispenser from the mishnaic period. The scraper belonging to Rav Shmuel bar Yehuda was apparently similar to these.

Aligning a young infant's bones – מְעַצְבֵּין אֶת הַקֶּטֶן: Cases of limbs being malformed in childbirth are common, such as thigh sprains from birth, and it is often necessary to straighten various limbs in order to bring them to their proper location. These acts of orthopedic alignment are known in Hebrew as *itzuv*.

“אֲבָל לֹא מִתְגַּרְרִין.” תָּנוּ רַבֵּנּוּ: אִין גִּירִין בְּמִגְרָתָהּ בְּשַׁבָּת. רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: אִם הָיוּ רַגְלָיו מְלוּכָלוֹת בְּטִיט וּבְצוּאָה – גִּירִין כְּדָרְכּוֹ וְאִינוֹ חוֹשִׁין. רַב שְׁמוּאֵל בְּרַי יְהוּדָה עֲבָדָא לֵיהּ אֵימָה מִגְרָתָהּ דְּכִסְפָּא.

“אִין יוֹרְדִין לְקוֹרְדִימָא וְכוּ’.” מַאי טַעְמָא? מִשּׁוּם פִּיקָא.

“וְאִין עוֹשִׂין אִפִּיקוּטוּיִין בְּשַׁבָּת.” אָמַר רַבָּה בְּרַי חֲנָה אָמַר רַבִּי יוֹחָנָן: לֹא שָׁנוּ אֶלָּא בִּסְמָךְ, אֲבָל בִּיד – מוֹתֵר. תַּנְיָא, רַבִּי נְחֵמְיָה אוֹמֵר: אִף בְּחוֹל אָסוּר, מִפְּנֵי הַפֶּסֶד אוֹכְלִין.

“וְאִין מְעַצְבִּין אֶת הַקֶּטֶן.” אָמַר רַבָּה בְּרַי חֲנָה אָמַר רַבִּי יוֹחָנָן: לְפוּפֵי יְנוּקָא בְּשַׁבָּת – שְׁפִיר דְּמִי, וְהָאֵן תָּנִן: אִין מְעַצְבִּין! הָתֵם בְּחוּמֵי שְׂדֵרָה, דְּמִיחֵי כְּבוֹנָה.

“וְאִין מְחַזְרִין אֶת הַשֹּׁבֵר.” אָמַר רַבִּי חֲנָה בְּגִדְתָּא אָמַר שְׁמוּאֵל:

The mishna taught: **However, one may not scrape off the oil on Shabbat.** The Sages taught in a *baraita*: **One may not scrape his body with a scraper on Shabbat.** Rabban Shimon ben Gamliel says: **If one's feet were dirty with mortar and excrement he may scrape them in the usual manner with a scraper^h and need not be concerned about violating a prohibition.** Rav Shmuel bar Yehuda's mother made him a silver scraper^h to use on Shabbat to distinguish it from a weekday.

The mishna also taught that **one may not enter a swampy river^h full of mud on Shabbat.** The Gemara explains: **What is the reason for this? Due to the mud,ⁿ** as it is likely that one will slip and fall and come to violate the prohibitions of bathing and wringing out his clothes.

We also learned in the mishna that **one may not make a drug to induce vomiting on Shabbat.^h** Rabba bar bar Hana said that Rabbi Yohanan said: **They only taught that this is prohibited with a drug,** which is considered a medicine; **however, inducing vomiting by hand is permitted.** It was taught in a *baraita* that Rabbi Nehemya says: **Even during the week, if one need not vomit for medical reasons, it is prohibited to induce vomiting because it causes loss of food.**

And we learned in the mishna that **one may not align a young infant's bones^h** in order to straighten them on Shabbat. Rabba bar bar Hana said that Rabbi Yohanan said: **With regard to swaddling an infant^h on Shabbat, one may well do so.** The Gemara challenges this statement: **Didn't we learn in the mishna that one may not align an infant's bones?** The Gemara answers: **There, the mishna is referring to the bones, vertebrae, of the spine, because straightening them appears like the prohibited labor of building.**

We also learned in the mishna that **one may not reset a break in a bone on Shabbat.** Rav Hana of Baghdad said that Shmuel said:

HALAKHA

Scraping with a scraper – גִּירָה בְּמִגְרָתָהּ: It is prohibited to use a scraper to scrape dirt off one's body on Shabbat. However, if one's hands or feet are dirty with mud, it is permitted, as the *halakha* is in accordance with the view of Rabban Shimon ben Gamliel (Rambam *Sefer Zemanim, Hilkhos Shabbat* 21:30; *Shulhan Arukh, Oraḥ Hayyim* 327:3).

One may not enter a swampy river – אִין יוֹרְדִין לְקוֹרְדִימָא: It is prohibited to walk in a slippery, wet place on Shabbat, lest one fall into the water and come to wring his garments. This ruling is based on one of the interpretations of the word *kurdima*, swampy river (Rambam *Sefer Zemanim, Hilkhos Shabbat* 21:29; *Shulhan Arukh, Oraḥ Hayyim* 301:46 in the comment of the Rema).

Vomiting on Shabbat – הִקָּהָה בְּשַׁבָּת: One may not induce vomiting on Shabbat unless he is in pain from overeating or the like. Since it is also prohibited to take medicine on Shabbat, it is permitted to induce vomiting only with one's hand, but not through use of a drug (Rambam *Sefer Zemanim, Hilkhos Shabbat* 21:31; *Shulhan Arukh, Oraḥ Hayyim* 328:39).

Swaddling an infant – לְפוּפֵי יְנוּקָא: It is permitted to tightly swaddle an infant on Shabbat, even if it is done to prevent his bones from becoming misaligned. This is not considered a prohibited medicinal practice. However, one may not manually correct a child's vertebrae unless he is in danger, because it is comparable to building (Rambam *Sefer Zemanim, Hilkhos Shabbat* 21:31, 22:26).

NOTES

One may not enter a swampy river [kurdima]... due to the mud – אִין יוֹרְדִין לְקוֹרְדִימָא... מִשּׁוּם פִּיקָא: There are several explanations for this prohibition. Some commentaries explain that *kurdima* is the name of a place where there is healing water and mud. Therefore, it is prohibited to go there on Shabbat, just as there is a prohibition against entering the Deyomset

(Rambam; see also Rabbeinu Hananel). Other authorities explain that since there is a great deal of mud in the *kurdima*, there is a concern that one who bathes there may sink in the deep swamp. This would require others to come and save him, which would place their lives at risk and necessitate the desecration of Shabbat (*ge'onim*).

הַלְכָה מִחֻזְרֵי אֶת הַשֶּׁבֶר. רַבָּה בֶּר
בֶּר חָנָה אִיקְלָע לְפִימְבִדִיתָא. לֹא עַל
לְפִירְקָה דְּרַב יְהוּדָה. שְׂדִירָה לְאַדָּא
דִּיילָא, אָמַר לִיה: זֵיל גְּרִיבָה. אָזִיל
גְּרִיבָה, אֲתָא, אֲשַׁבְּחִיה דְּקָא דְּרִישׁ:
אֵין מִחֻזְרֵי אֶת הַשֶּׁבֶר. אָמַר לִיה: הָכִי
אָמַר רַב חֲנָא בְּגִדְתָּא אָמַר שְׂמוּאֵל:
הַלְכָה מִחֻזְרֵי אֶת הַשֶּׁבֶר. אָמַר לִיה:
הָא חֲנָא דִּידֵן וְהָא שְׂמוּאֵל דִּידֵן – וְלֹא
שְׂמִיעַ לִי, וְלֹא בְּדִינָא גְּרַבְתִּיךָ?

”מִי שֶׁנִּפְרָקָה יָדוֹ כֹּ” רַב אֲוִיָּא הָוָה
יְתִיב קַמֵּיה דְּרַב יוֹסֵף, שְׁמַע לִיה יְדִיה.
אָמַר לִיה: הָכִי מֵאִי? אָסוּר. וְהָכִי מֵאִי?
אָמַר לִיה: אָסוּר. אֲדָהִכִּי אֵיתַפַּח יְדִיה.

אָמַר לִיה: מֵאִי תִיבְעִי לָךְ, הָא תִּנֵּן
”מִי שֶׁנִּפְרָקָה יָדוֹ אוֹ רַגְלוֹ – לֹא
יִטְרַפֵּם בְּצוּנָה, אֲבָל רוֹחֵץ בְּדַרְכּוֹ. וְאִם
נִתְרַפָּא – נִתְרַפָּא.” אָמַר לִיה: וְלֹא
תִּנֵּן ”אֵין מִחֻזְרֵי אֶת הַשֶּׁבֶר” וְאָמַר
רַב חֲנָא בְּגִדְתָּא אָמַר שְׂמוּאֵל:
הַלְכָה מִחֻזְרֵי אֶת הַשֶּׁבֶר? אָמַר לִיה:
כּוֹלְהוּ בְּחֻדָּא מִחִיתָא מִחִיתָנְהוּ?
הֵיכָא דְּאִיתְמַר – אֵיתְמַר, הֵיכָא דְּלֹא
אֵיתְמַר – לֹא אֵיתְמַר.

הדרן עלך חבית

The *halakha* is that one may reset a break^H on Shabbat, which was the ruling in Shmuel's version of the mishna. The Gemara relates that Rabba bar bar Hana happened to come to Pumbedita and he did not enter Rav Yehuda's lecture. Rav Yehuda sent for Adda, his attendant, and said to him: Go drag him to the lecture. He went and dragged him forcibly to the lecture (Rabbeinu Hananel). Rabba bar bar Hana came and found Rav Yehuda teaching that one may not reset a break on Shabbat. He said to him: This is what Rav Hana of Baghdad said that Shmuel said: The *halakha* is that one may reset a break on Shabbat. Rav Yehuda said to him: Hana is ours,^N a Babylonian scholar, and Shmuel is ours, and nevertheless, I did not yet hear this *halakha*; did I not rightfully drag you to the lecture?

We learned in the mishna that one whose hand was dislocated may not treat it by vigorously moving it about in water.^H The Gemara relates that Rav Avya was once sitting before Rav Yosef and his hand became dislocated. Rav Avya then displayed a variety of hand positions and he said to him: What is the ruling with regard to this? Am I permitted to place my hand in this way, or is it a violation of the prohibition against healing on Shabbat? Rav Yosef said to him: It is prohibited. Rav Avya again asked: And what is the ruling if I position my hand in this way? Rav Yosef said to him: It is prohibited. In the meantime, his hand was restored to its proper location and was healed.

Rav Yosef said to him: What is your dilemma? We learned in our mishna that one whose hand or foot was dislocated on Shabbat may not vigorously move it about in cold water; however, he may rinse it in the usual manner, and if it is healed, it is healed. Rav Avya said to him: That is no proof, as didn't we learn in our mishna that one may not reset a break, and Rav Hana of Baghdad said that Shmuel said that the *halakha* is that one may indeed reset a broken bone. Therefore, perhaps a dislocated limb may also be treated on Shabbat. Rav Yosef said to him: Were all these woven together in a single weave? Where it was stated that an alternative version of the mishna exists, it was stated;^N where it was not stated, it was not stated. Therefore, the ruling of the mishna with regard to a dislocated limb must be observed.

HALAKHA

One may reset a break – מִחֻזְרֵי אֶת הַשֶּׁבֶר – A broken or fully dislocated bone may be reset on Shabbat, in accordance with the ruling of Shmuel and his version of the mishna, as per Rashi's explanation (*Shulḥan Arukh, Oraḥ Ḥayyim* 328:47).

Resetting a dislocated limb – הַחֻזְרֵי נֶקַע – If one's hand or foot was completely dislocated from its joint, it may be reset on Shabbat (*Shulḥan Arukh, Oraḥ Ḥayyim* 328:47; see *Magen Avraham* and *Mishna Berura*). However, if it is not completely dislocated and does not pose a danger to the limb, one may only wash it in the usual manner. If it is healed in this manner, so be it (*Shulḥan Arukh, Oraḥ Ḥayyim* 328:30).

NOTES

Hana is ours – הָא חֲנָא דִּידֵן: Everything that was taught publicly in lectures and in the study hall was known to the local Sages. Nevertheless, the possibility existed that a Sage would teach a halakhic ruling to one of his students, who would in turn transmit this teaching to only a few others, resulting in a situation where other students of that Sage were unfamiliar with that ruling. In this context, Rabba bar bar Hana, who came from Eretz Yisrael, was the only one familiar with this halakhic tradition from Rav Hana and Shmuel, both of whom were Babylonian, while Rav Yehuda, who was the preeminent disciple of Shmuel, was unfamiliar with it.

Where it was stated, it was stated – הֵיכָא דְּאִיתְמַר אֵיתְמַר: The rationale behind the distinction between a broken bone and a dislocated limb is that a broken bone is a more serious condition, and if it is not immediately reset the entire limb may be in jeopardy. That is not true of a dislocation (*Tosefot Rid*).

Summary of Perek XXII

In this chapter, the Gemara attempted to clarify the rules of squeezing on Shabbat. Its main conclusions were as follows: It is prohibited to squeeze an item if one's main intent in doing so is to make use of the liquid that emerges. At times this may constitute a Torah prohibition, while at other times it constitutes a rabbinic one. On the other hand, if one's intent is to improve the food item by squeezing liquid from it, even though the action is the same as in the case outlined previously, the act is not defined as a prohibited labor and is permitted according to Torah law. Nonetheless, in certain cases the Sages prohibited squeezing as a precautionary measure in order to ensure that one not perform a prohibited labor.

In the continuation of the chapter, the Gemara came to the following conclusions regarding food preparation: If a food can be eaten in its current state, it is permitted to enhance its taste. Thus, one may add hot water to improve a food unless it is otherwise inedible or the hot water changes the food into a completely different item.

The Gemara arrived at similar conclusions regarding breaking a barrel in order to eat the food that is inside: It all depends upon the extent to which the action improves the barrel. If the act improves the barrel, then breaking it is prohibited, whereas if it causes significant damage to the barrel and only slight improvement, it is permitted even *ab initio*. Additionally, if one's primary intent is to remove the food rather than to improve the receptacle, breaking the barrel is permitted.

The Gemara also arrived at some lenient conclusions regarding squeezing as a function of the labor of laundering, based on the view that this constitutes an unintentional act and a labor not necessary for its own sake, and that the Rabbis did not prohibit it.

There dwelt men of Tyre also therein, who brought in fish and all manner of ware, and sold on the Shabbat to the children of Judah and in Jerusalem. Then I contended with the nobles of Judah and said to them: What evil thing is this that you do and profane the Shabbat day?

(Nehemiah 13:16–17)

Introduction to **Perek XXIII**

The prohibition of commercial activity on Shabbat is one of the earliest known decrees enacted by the Sages to protect Torah law. This decree is generally explained as a protective measure to prevent writing on Shabbat, as commercial activity generally requires writing in order to record and approve legally binding transactions. Although Torah law does not prohibit commercial activity itself on Shabbat, commercial transactions often entail numerous activities that are prohibited on Shabbat, such as carrying objects from one domain to another, fixing utensils or completing their production, and handling objects that may not be handled on Shabbat.

As the decree prohibiting commercial activity was already widely known and accepted in talmudic times, this chapter examines the scope of the prohibition and seeks to determine precisely which activities fall under the decree. In addition to prohibiting direct and explicitly formulated business transactions, the decree also encompasses related activities, such as hiring workers and granting or receiving a loan. However, since the source of this prohibition is rabbinic, there are instances where there is room for leniency, such as when the commercial activity is for the sake of a mitzva or when there is no concern for possible violation of Shabbat.

Respect for the dead is another factor that allows for the relaxation of some of the stringencies of Shabbat, as respect for the dead honors both the living and the deceased. However, the details of what exactly may be done for this purpose need to be spelled out, especially because a corpse is a severe form of a set-aside entity that may not be moved directly. This chapter also considers which activities may not be done even out of respect for the dead.

מתני' שואל אדם מחבירו כדי מין וכדי שמן ובלבד שלא יאמר לו "הלויני". וכן האשה מחבירתה כפרות. ואם אינו מאמינו – מניח טליתו אצלו, ועושה עמו חשבון לאחר שבת. וכן ערב פסח בירושלים שחל להיות בשבת, מניח טליתו אצלו ונוטל את פסחו, ועושה עמו חשבון לאחר יום טוב.

גמ' אמר ליה רבא בר רב חנן לאבוי: מאי שנא "השאילני" ומאי שנא "הלויני"? אמר ליה: "השאילני" – לא אתי למיכתב, "הלויני" – אתי למיכתב.

והא כיון דבחול, ויזמני דבעי למימר ליה "הלויני" ואמר ליה "השאילני" ולא קפיד עילויה, ואיתי למיכתב. בשבת נמי אתי למיכתב. אמר ליה: (בחול דלא שנא כי אמר ליה "הלויני" לא שנא כי אמר ליה "השאילני", לא קפדינן עילויה – אתי למיכתב). בשבת כיון ד"השאילני" הוא דשרי ליה רבנן "הלויני" לא שרו ליה – מינכרא מילתא, ולא אתי למיכתב.

אמר ליה רבא בר רב חנן לאבוי: מכדי אמרו רבנן "כל מילי דיום טוב כמה דאפשר לשנויי" – משנינן, הני נשי דמליין חצבייהו מיא. מאי טעמא לא משנינן? משום דלא אפשר. היכי לעבדי – דמליין בחצבא רבא לימלו בחצבא זוטא – הא קא מפשו בהילוכא, דמליין בחצבא זוטא לימלו בחצבא רבא – קא מפשו במשוי.

MISHNA One may borrow^H jugs of wine and jugs of oil from another on Shabbat, as long as one does not say the following to him: **Loan me.** And similarly, a woman may borrow from another loaves of bread on Shabbat. And if the lender does not trust him that he will return them, the borrower may leave his cloak^N with him as collateral and make the proper calculation with him after Shabbat. And similarly, on the eve of Passover in Jerusalem, when it occurs on Shabbat, one who is procuring a Paschal lamb may leave his cloak with him, i.e., the person from whom he is purchasing it, and take the lamb to bring as his Paschal lamb, and then make the proper calculation with him after the Festival.

GEMARA It was taught in the mishna that one is permitted to borrow jugs from another on Shabbat, but one may not use the phrase loan me. Rava bar Rav Ḥanan said to Abaye: What is different about the expression let me borrow, that makes it permitted? And what is different about the expression loan me^N that makes it prohibited? He said to him: If someone says let me borrow, the lender will not come to write down the loan because the expression indicates that the borrower intends to return the object in its current state within a short amount of time. On the other hand, the expression loan me indicates a more extended loan in which the object is not necessarily returned in exactly the same manner in which it was taken. Therefore, the lender will come to write down the terms of the loan.

Rava bar Rav Ḥanan challenged Abaye's answer: But since on weekdays there are times one intends to say loan me and instead says let me borrow, and the lender is not particular about his imprecise terminology and he comes to write down the terms of the loan, on Shabbat he will also come to write. Abaye said to him: On a weekday, when there is no difference if one says loan me or let me borrow, lenders are not particular about his terminology, and the lender will therefore come to write down the terms of the loan. On Shabbat, since only the expression let me borrow was allowed by the Sages, while the expression loan me was not permitted, the matter is recognizable. Both of the parties must bear in mind which terminology is acceptable, and the lender will not come to write.

Rava bar Rav Ḥanan said to Abaye: Now, since the Sages said that with regard to all matters of a Festival, as much as we can change the way we do things from the manner in which we do them on weekdays, we change,^H these women who fill their pitchers with water,^H what is the reason they do not change the way they draw water from their normal weekday procedure? Abaye answers: Because it is not possible to change the procedure. How would they do it differently? If you say that those who normally fill a large pitcher should fill a small pitcher on a Festival, they would thereby add to their walking and expend extra effort. Conversely, if those who normally fill a small pitcher would fill a large pitcher on a Festival, they would thereby add to the weight of their load. Even though these methods are different from the norm, they would cause added exertion. Therefore, the Sages did not require that one draw water in an unusual fashion.

HALAKHA

Borrowing on Shabbat – שאילת בשבת – It is permitted to borrow objects for food and drink on Shabbat. However, as the mishna teaches, the borrower must be careful not to speak of it as a loan. If the lender does not trust him, the borrower may leave something as collateral but may not explicitly say: Here is the collateral (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:12; *Shulḥan Arukh*, *Orah Hayyim* 307:11 and in the comment of the Rema).

Changing one's habits on Festivals – שינוי ביום טוב – Even though carrying an object from one domain to another is permitted on a

Festival, one may not carry a large load in the usual weekday manner. Rather, one should carry the object differently (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 5:1; *Shulḥan Arukh*, *Orah Hayyim* 510:8).

Drawing water on a Festival – מילוי מים ביום טוב – Even though one must carry a heavy object in an atypical manner on a Festival, if it is impossible to change the way the object is handled, or if doing so would require more effort, one does not need to carry it differently. This is in accordance with Abaye's ruling (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 5:1; *Shulḥan Arukh*, *Orah Hayyim* 510:10).

NOTES

The borrower may leave his cloak with him – **מניח טליתו אצלו**: The borrower may not say that the cloak is collateral. Rather, the lender will understand the borrower's intention in leaving the cloak (Rashba). Although this resembles a business transaction, the Sages did not prohibit it (*Tosefot Rid*), because the very prohibition of conducting business on Shabbat is itself a rabbinic decree.

Let me borrow and loan me – השאילני והלויני: See Rashi and *Tosefot*, who both attempt to clarify the distinction between these two phrases. From the conclusion of the Gemara, it is apparent that the very fact that a person must be careful to use a particular expression reminds the individual that it is Shabbat, which is the purpose of the decree. An opinion cited by *Tosefot* notes that in some languages there is no difference between these expressions. In these languages, the borrower should simply say: Give me, which does not have any connotations of a loan (Rashba).

NOTES

Clapping [*mesappekin*]...clapping against one's body [*metappehin*] – מְסַפְּקִין...מִטְּפְּחִין: Elsewhere, Rashi reverses the definitions of these terms and explains that *metappehin* means clapping and *mesappekin* is tapping one's hand against one's leg.

And thus Hillel would say: A woman may not loan a loaf of bread to another, etc. – וְכֵן הָיָה הֵלֵל אוֹמֵר לֹא תִלְוֶה אִשָּׁה – Hillel used the example of loaves of bread because, generally speaking, no two people make exactly the same sized loaf of bread (Rashba). The possibility of incurring interest exists in this case. Since the woman borrowed such a small amount, i.e., a loaf or two of bread, she is likely to return an actual loaf, even if the price of wheat has risen, because she does not want to appear miserly (Ramban).

HALAKHA

One may not clap hands, or clap one's hand against one's body, or dance on a Festival – לֹא מְסַפְּקִין וְלֹא מִטְּפְּחִין וְלֹא מְרַקְּדִין: It is prohibited to dance, clap, or make other noises that accompany or stimulate song and dance on Shabbat or on a Festival. This is a rabbinic decree, lest one come to fashion or repair a musical instrument. However, if one performs one of these actions in an unusual manner, it is permitted (Rambam). Nowadays, people are permitted to do these things because it is better that they do so unwittingly without knowingly violating the *halakha*. Some authorities rule that nowadays, since people do not generally have expertise in fixing or constructing musical instruments, all of these actions are permitted (Rema, based on *Tosafot*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:5; *Shulḥan Arukh*, *Orah Ḥayyim* 339:3, 524:1).

Rebuking violators – מִתְּבַרְכֵּי לְעֹבְרִינִים: If people commonly violate a prohibition unwittingly, we do not rebuke them for doing so, for they might continue to violate it intentionally. This even applies to Torah prohibitions, provided they are not explicitly stated in the Torah (Ran; Rosh, based on other sources elsewhere in the Talmud). Later authorities say that this *halakha* applies only to prohibitions that are not punishable by excision [*karet*]. However, we do rebuke those who unwittingly violate transgressions that carry a punishment of excision (*Mishna Berura*; Rambam *Sefer Zemanim*, *Hilkhot Shevitat Asor* 1:7; *Shulḥan Arukh*, *Orah Ḥayyim* 608:2).

Loaning food or objects – הִלְוֹת מֵאֲכָלִים וְחִפְצִים: It is prohibited to loan anything that cannot be returned in its original form, except for money. The rationale is that the price of the object might increase and the parties involved would then violate the prohibition of charging and paying interest. If someone did borrow such an object, he should calculate its value immediately upon borrowing it and repay the loan based upon that price. Some authorities rule that when it comes to bread and other common household items, people are not particular about the slight differences in value, and it is therefore permitted to give them as a loan even without calculating their precise monetary value (*Tur*; Rambam *Sefer Mishpatim*, *Hilkhot Malve VeLoveh* 10:2; *Shulḥan Arukh*, *Yoreh De'a* 162:1 and in the comment of the Rema).

This is in a place where the price of the loaf is set – הָאֵלֶּה בְּאַתְרָא – דִּקְיָא דְּמִיָּה: If a commodity has a set market price, it is permitted to loan it, and the borrower is permitted to return the same amount of that commodity. This ruling is in accordance with the answer of the Gemara (*Shulḥan Arukh*, *Yoreh De'a* 162:3).

נִפְרוֹס סוּדְרָא – אֶתִּי לְיָדִי סְחִיטָה.
נִכְסִיָּה בְּנִכְתָּמָא – וְיִמְנִי דְּמִיִּפְסָה.
וְאֶתִּי לְמִקְטְרִיָּה. הִלְכָּךְ: לֹא אֶפְשָׁר.

וְאָמַר לִיהִי רַבָּא בִּרְבִּי חֲנַן לְאַבְיִי: תַּנּוּ,
לֹא מְסַפְּקִין וְלֹא מִטְּפְּחִין וְלֹא מְרַקְּדִין
בְּיוֹם טוֹב. וְקָא חֲזִינַן דְּעֻבְדִּין, וְלֹא
אֲמַרְיִן לְהוּ וְלֹא מִיָּדִי. וְלִטְעָמֵיךְ, הָא
דְּאָמַר רַבָּא: לֹא לִיתִּיב אִינִישׁ אֶפְסָמָא
דְּלִחְיָא, דִּילְמָא מִיַּגְדֵּר לִיהִי חֶפֶץ וְאֶתִּי
לְאִיתִיב, וְהָא קָא חֲזִינַן נִמְי דְּמוֹתֵי
חֶצֶב, וְיִתְבֵּן אֶפְסָמָא דְּמִבְּוֹאָה, וְלֹא
אֲמַרְיִן לְהוּ וְלֹא מִיָּדִי. אֵלֶּיךָ: הֵנַח
לְיִשְׂרָאֵל, מוֹטֵב שְׂחִיָּה שׁוֹגְגִין וְאֵל יְהוּ
מִיָּדִי.

סְבוּר מִיָּנָה הָנִי מִיָּלִי בְּדַרְבְּנָא, אֲבָל
בְּדֹארוּיָתָא – לֹא. וְלֹא הִיא, לֹא שָׁנָא
בְּדַרְבְּנָא וְלֹא שָׁנָא בְּדֹארוּיָתָא. דְּהָא
תּוֹסַפֶּת יוֹם הַכִּפּוּרִים דְּאֹרִיָּתָא
הִיא, וְקָא חֲזִינַן לְהוּ דְּקָאכְלִי וְשָׁתִי עַד
שְׁתַּחֲשֵׁד, וְלֹא אֲמַרְיִן לְהוּ וְלֹא מִיָּדִי.

“וְכֵן אִשָּׁה מִחִבְרֶתָה כְּרוֹת”. בְּשִׁבְתָּ
הוּא דְּאָסִיר, אֲבָל בְּחוּל – שְׁפִיר דְּמִי.
לִימָא מִתְּנִינָא דְּלֹא בְּהִלָּל; דִּתְנֵן, וְכֵן
הָיָה הֵלֵל אוֹמֵר: לֹא תִלְוֶה אִשָּׁה כֶּכֶר
לְחִבְרֶתָה עַד שְׁתַּעֲשִׂינָה דְּמִים, שְׁמָא
יִקְרוּ חֲטָן וְנִמְצְאוּ בְּאוֹת לְיָדֵי רַבִּית.

אֶפְלוּ תִימָא הֵלֵל הָא – בְּאַתְרָא דְּקִיָּץ
דְּמִיָּה, הָא – בְּאַתְרָא דְּלֹא קִיָּץ דְּמִיָּה.

If you say that, in order to draw water in an unusual manner, we should require a woman to spread a cloth over the vessel, she may come to violate the prohibition of squeezing water from the cloth. And if we would cover it with a lid, sometimes it is severed from the pitcher, and one will then come to tie it. Therefore, since it is impossible to require women to draw water any other way, women draw water on a Festival in the usual manner.

And Rava bar Rav Hanan said to Abaye: Did we not learn in a mishna that one may not clap hands, or clap one's hand against one's body,ⁿ or dance on a Festival?ⁿ And we see, however, that people do these things, and we do not say anything to stop them.ⁿ Abaye responded: And according to your reasoning, what about this *halakha* that Rava said: One may not sit on Shabbat at the entrance of a private alleyway next to the post, which delineates its boundaries, lest an object roll away into the public domain and he come to bring it back? And yet we see that women put down their jugs and sit at the entrance of the alleyway, and we do not say anything to stop them. Rather, in these matters we rely on a different principle: Leave the Jewish people alone, and do not rebuke them. It is better that they be unwitting in their halakhic violations and that they not be intentional sinners, for if they are told about these prohibitions they may not listen anyway.

There were those who understood from this statement that this *halakha* applies only to rabbinic prohibitions but not to Torah prohibitions, with regard to which we must certainly reprimand transgressors. However, that is not so. There is no difference between rabbinic prohibitions and Torah prohibitions. In both cases one does not reprimand those who violate unwittingly and would not listen to the reprimand. For the requirement of adding to Yom Kippur by beginning the fast while it is still day is from the Torah, and we see women who eat and drink on the eve of Yom Kippur up until nightfall, and we do not say anything to them. Thus, this rule, which applies to rabbinic prohibitions, applies to Torah prohibitions as well.

We learned in the mishna: And similarly, a woman may borrow loaves of bread from another on Shabbat. However, as in the previous *halakha*, she may not ask for them using the word loan. The Gemara asks: Is it only on Shabbat that it is prohibited, but on a weekday it seems well. Is it permitted to borrow bread as a loan on a weekday? If so, let us say that the mishna is not in accordance with the opinion of Hillel, for we learned in a mishna: And thus Hillel would say: A woman may not loan a loafⁿ of bread to anotherⁿ until she calculates its monetary value, lest wheat become more valuable and they come to violate the prohibition against lending with interest. If the price of wheat rises and the borrower returns the same sized loaf of bread, she will have returned something of greater value than what she borrowed, and therefore she will have paid interest on her loan. From here we see that even on weekdays it is prohibited to borrow a loaf of bread from another person.

The Gemara answers: Even if you say that the mishna is in accordance with the opinion of Hillel, we may distinguish between the cases such that there is no contradiction: This case, in which the mishna permits borrowing a loaf of bread as a loan, is applicable in a place where the price of the loaf is set,ⁿ while this statement, which was said by Hillel, is applicable in a place where its price is not set.

תביעת – Claiming a loan that was made on a Festival – הלואות יום טוב: Loans made on a Festival, including food and drinks (*Magen Avraham*), are like all other loans and can be claimed in court. This ruling follows the opinion of Rabba, whose opinions are generally accepted in his disputes with Rav Yosef, and whose opinion is supported by the Gemara's discussion (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 4:25; *Shulhan Arukh*, *Orah Hayyim* 525:1).

One who slaughters a cow and divides it on Rosh HaShana – השוחט את הפרה וחילקה בראש השנה: If a butcher slaughtered a cow on Rosh HaShana immediately following the Sabbatical Year, and people bought the meat on credit, and it turned out that the first day of Rosh HaShana was really the thirtieth day of Elul, the butcher cannot demand payment of their debts. This is because the debts were canceled by the conclusion of the Sabbatical Year. However, several authorities rule that debts owed to a storekeeper are not canceled by the Sabbatical Year. The butcher can indeed demand payment of the debts (Ra'avad, based on the Jerusalem Talmud; Rambam *Sefer Zera'im*, *Hilkhot Shemitta VeYovel* 9:5).

NOTES

Two days of Rosh HaShana – שני ימי ראש השנה: During the Temple period, and even later, the beginning of the new month was determined by the testimony of eyewitnesses who saw the new moon. Consequently, the thirtieth day of the month of Elul was observed as Rosh HaShana, due to the possibility that witnesses would come and testify that they saw the new moon. However, if witnesses would not come on that day, it would be understood retroactively that it had not been Rosh HaShana, but rather the thirtieth day of Elul. Thus, Rosh HaShana would actually be the following day.

The Sabbatical Year – שנה השביעית: The Torah states that debts are canceled during the seventh, Sabbatical Year. From the verse: "At the end of seven years you shall make a release" (Deuteronomy 15:1), the Sages derived that the cancelation of loans takes place at the very end of the Sabbatical Year. After the last moment of the Sabbatical Year, all previous outstanding debts are annulled. Nevertheless, even when the Sabbatical Year is observed according to Torah law, it is still considered to be an act of piety to repay debt after it has been canceled. However, the lender should initially refuse to accept payment by verbally renouncing the claim.

ואם אינו מאמינו. איתמר: הלואות יום טוב, רב יוסף אמר: לא ניתנה ליתבע, ורבה אמר: ניתנה ליתבע. רב יוסף אמר: "לא ניתנה ליתבע". דאי אמרת "ניתנה ליתבע" – אחי למיכתב. רבה אמר: ניתנה ליתבע, דאי אמרת "לא ניתנה" – לא יהיב ליה, ואחי לאימונעי משמחת יום טוב.

The mishna taught further that if the lender **does not trust** the one who borrows from him on Shabbat or a Festival, the borrower may leave his cloak as collateral. On this topic, the Gemara cites that which was said in an amoraic dispute with regard to **loans on a Festival**: Rav Yosef said that such a loan **cannot be claimed** in court. Although the borrower is obligated to return the object or reimburse the lender, the lender cannot force him to do so by taking legal action. **And Rabba said** that such a loan is like any other type of loan and **can be claimed** in court.¹⁴ The Gemara explains these two positions: Rav Yosef said that a loan made on a Festival **cannot be claimed** in court, for if you say that it can be claimed, there is a concern that the lender may come to write the details of the loan on the Festival so that he can claim it later. Rabba said that it **can be claimed**, for if you say that it cannot be claimed, the lender **will not give him** anything to borrow, and the potential borrower **will refrain from rejoicing on the Festival**.

We learned in the mishna that if he **does not trust him**, he may leave his cloak with him as collateral. The Gemara attempts to show that this *halakha* supports Rav Yosef's position: **Granted**, this *halakha* makes sense if you say that loans given on a Festival **cannot be claimed**, in accordance with Rav Yosef's position. **Due to this**, he leaves his cloak with him and makes a calculation with him after Shabbat. However, if you say that loans given on a Festival can indeed be claimed in court, why then would he leave his cloak with him? Let him give him the item on loan and bring him to court if he does not return it. The Gemara rejects this argument because the lender can say: **I do not want to stand in judgment before judges**; he may prefer taking collateral so that he will not need to go to court at a later time.

Rav Idi bar Avin raised an objection to the view of Rav Yosef, based on a mishna pertaining to **one who slaughters a cow and divides it** among purchasers on Rosh HaShana¹⁵ of a year that follows the Sabbatical Year [*shemitta*]. Even during the times of the Temple, they were already celebrating two days of Rosh HaShana. The first day was possibly the last day of the month of Elul and possibly the first day of the month of Tishrei, which is the actual date of Rosh Hashana.¹⁶ The question therefore arises as to whether those who bought the meat of the cow initiated their debt on the final day of the Sabbatical Year, in which case the debts would be canceled, or whether the transactions took place on the first day of the following year, in which case the debts may still be collected. The mishna said that if it becomes clear that Elul of the previous year was a **full thirty-day month**, the Sabbatical Year¹⁷ **cancels** the debts because the very end of the Sabbatical Year cancels the ability to collect all previous debts. **And if this was not** the case, and the first day of Rosh HaShana was actually the first day of the new year, the Sabbatical Year **does not cancel** the loan.

Based on that mishna, Rav Idi bar Avin makes the following argument: If a loan given on a Festival **cannot be claimed** in court, **what is the meaning of the word cancels**? In any event, the lender could not have presented his claim against the borrower in court. The Gemara rejects this argument: **It is different there**, in an instance in which the month of Elul has thirty days, **for it has become clear that** the first day of Rosh HaShana **was a regular weekday**. The loan could therefore be claimed in court, if not for the fact that it was canceled by the Sabbatical Year.

The Gemara attempts to bring a different proof: **Come and hear** a proof for this from what we learned in the **latter clause** of that mishna: If the month of Elul did **not** turn out to be a full month, such that the first day of Rosh HaShana was actually the first day of the new year, the Sabbatical Year **does not cancel** the loan. **Granted**, if you say that a loan given on a Festival **can be claimed**, that which was taught that it **does not cancel** the loan is understandable. **But if you say that it cannot be claimed**, why does it teach that it **does not cancel** the loan? In any event, the lender cannot make a claim on it in court. The Gemara explains: A loan given on a Festival cannot be claimed in court, but since it has not been canceled, if the borrower gives him the money he may take it.

תנן: אם אינו מאמינו – מניח טליתו אצלו. אי אמרת בשלמא לא ניתנה ליתבע – משום הכי מניח טליתו אצלו, ועושה עמו חשבון לאחר שבת. אלא אי אמרת "ניתנה ליתבע" – אמאי מניח טליתו אצלו? ליתן ליה ולתבעיה. אמר: לא בעינא דליקום בדינא ודיינא.

מתיב רב אידי בר אבין: השוחט את הפרה וחילקה בראש השנה, אם היה חדש מעובר – משמט, ואם לאו – אינו משמט.

ואי לא ניתנה ליתבע – מאי משמט? שאני התם, דאיגלאי מילתא דחול הוא.

תא שמע מסיפא: אם לאו – אינו משמט. אי אמרת בשלמא ניתנה ליתבע – היינו דקתני "אינו משמט". אלא אי אמרת "לא ניתנה ליתבע" – אמאי אינו משמט? דאי יהיב ליה – שקיל.

One repays a debt during the Sabbatical Year – **המחזיר חוב בשביעית**: If one is repaid a loan that was canceled by the Sabbatical Year, he must say: I relinquish my claim. If the borrower says: Nevertheless, I want you to accept my payment, the lender may accept it. It is commendable for the lender and borrower to follow this course of action (Rambam *Sefer Zera'im*, *Hilkhot Shemitta VeYovel* 9:28; *Shulhan Arukh*, *Hoshen Mishpat* 67:36).

Consecrating offerings on Shabbat or on a Festival – **הקדשות קרבנות בשבת ובחג**: It is prohibited by rabbinic decree to consecrate animals or objects on Shabbat or on a Festival. However, it is permitted to consecrate a Paschal lamb on Shabbat or to consecrate a Festival peace-offering on the Festival. These are Torah obligations that have a set time; therefore, the Sages were lenient (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:14 and *Sefer Korbanot*, *Hilkhot Korban Pesah* 1:19).

מכלל דרישוא, אי יהיב ליה – לא שקיל דרישוא צריך למימר ליה "משמט אני", סיפא – לא צריך למימר ליה "משמט אני". בדתנן: המחזיר חוב בשביעית, יאמר לו "משמט אני".

ואם אמר לו "אף על פי כן" – יקבל ממנו, משום שנאמר "וזה דבר השמטה".

רב אביא שקיל משכונא, רבה בר עולא מערים איערומי.

"וכן ערב פסח". אמר רבי יוחנן: מקדיש אדם פסחו בשבת, וחגיגתו ביום טוב. נמא מסייע ליה "וכן ערב פסח בירושלים שחל להיות בשבת מניח טליתו אצלו ונוטל את פסחו ועושה עמו חשבון לאחר יום טוב".

הכא במאי עסקינן – בממנה אחרים עמו על פסחו, דמעיקרא מיקדש וקאי.

והא אנן תנן "אין נמנין על הבמה בתחילה ביום טוב". שאני הכא, כיון דרגיל אצלו – כמאן דאימני ביה מעיקרא דמי.

The Gemara is surprised at this statement: Does this prove **by inference that, in the first clause** of the mishna, if the borrower gives him the money, **he may not take it?** One does not have to refuse repayment of a loan that the Sabbatical Year has canceled. One is simply not allowed to demand repayment from the borrower. The Gemara explains the difference between the two clauses of the mishna: In the **first clause** of the mishna, in which the first day of Rosh HaShana turned out to be the last day of Elul, the lender **must say to him: I relinquish** my claim against you. However, in the **latter clause** of the mishna, in which the first day of Rosh HaShana is the first day of the new year, **he does not need to say to him: I relinquish** my claim. This is as we learned in a mishna: When one repays a debt during the Sabbatical Year,^h the lender should say to him: I relinquish my claim.

And if the borrower says to him: Nonetheless, I want to repay you, he may accept it due to that which is stated: "And this is the manner of the release [*devar hashemitta*], every creditor shall release that which he has lent to his neighbor; he shall not exact it of his neighbor or brother because the Lord's Sabbatical Year has been proclaimed" (Deuteronomy 15:2). The manner of the release, *devar hashemitta*, can be rendered: The statement of release. The Sages derived that, although the creditor must verbally release the debtor from obligation, if the debtor persists in his desire to repay the debt, the creditor may accept payment. If, however, the loan was made after the Sabbatical Year, as is the case in the latter clause of the mishna, the creditor need not verbally release the debtor from obligation.

The Gemara relates that Rav Ayya would take collateral for loans that he gave on a Festivals. Rabba bar Ulla would circumvent the issue by taking something from the borrower after the conclusion of the Festival and holding onto it until the repayment of the loan.

We learned in the mishna: **And similarly, on the eve of Passover in Jerusalem**, when it occurs on Shabbat, one who needs to obtain an animal for the Paschal lamb may leave his cloak with the owner of the lamb as collateral and then make the appropriate calculations with him after the Festival. Rabbi Yohanan said: **A person may consecrate his Paschal lamb on Shabbat and his Festival peace-offering on the Festival.**^h The Gemara suggests: Shall we say that the mishna supports him? It states: **And similarly, on the eve of Passover in Jerusalem which occurred on Shabbat, one may leave one's cloak with him and take his Paschal lamb and make the appropriate calculation with him after the Festival.** Here, we see that the lamb itself is consecrated on Shabbat, which follows the opinion of Rabbi Yohanan.

The Gemara rejects this suggestion: This is not necessarily the case, for with what are we dealing here? With a case in which one registers others to participate with him in bringing his Paschal lamb.ⁿ In other words, the case is not one in which a person consecrates a previously unconsecrated animal but rather a case in which one allows others to join with him in registering for an animal that was already consecrated from the outset.

The Gemara challenges this: **But we learned in a mishna: One may not initially register for an animal on the Festival.** Therefore, even if the animal has been consecrated in advance, it is prohibited to register for it on the Festival, and it should certainly be prohibited to do so on Shabbat. The Gemara answers: The case here is different. Since each person who joins regularly registers together with him, the legal status of that person is like that of one who registered for it from the outset.

NOTES

A case in which one registers others to participate with him in bringing his Paschal lamb – **בממנה אחרים עמו על פסחו**: The Paschal lamb is not eaten by one individual. Rather, it is shared by a group of

people, each of whom must join the group in advance. Sometimes one person would purchase the animal, a lamb or a kid, and then others would pay him for their share and join in the offering.

One may not consecrate, or take a valuation vow, or consecrate objects for use by the priests or the Temple, or separate *terumot* or tithes – **לא מקדישין ולא מעריכין ולא מחרימין ולא מגביהין תרומות ומעשרות**: One may not consecrate animals or objects, take a valuation vow, or separate *terumot* or tithes on Shabbat or on a Festival because these resemble commercial activities (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:14 and *Sefer Korbanot*, *Hilkhot Korban Pesah* 1:19; *Shulḥan Arukh*, *Orah Hayyim* 339:4, 524:1).

NOTES

One may cast lots – **ומטילין חלשין**: The rationale for this ruling is that by casting lots, the priests display affection for the mitzva of eating the sacrifices (Rambam).

והא תני רבי הושעיא: הולך אדם אצל רועה הרגיל אצלו ונותן לו טלה לפסחו ומקדישו, ויוצא בו. התם נמי, בין דרגיל אצלו – אקדושי ליה מעיקרא, והא "מקדיש" קתני. הקדש עילוי, מדרבנן.

The Gemara raises another proof to the view of Rabbi Yoḥanan: **But Rabbi Hoshaya taught: One who wants to bring a Paschal lamb and does not have his own lamb may go to a shepherd to whom he normally goes, and the shepherd may give him a lamb to be used for his Paschal lamb, and he may consecrate it and fulfill his obligation with it.** This indicates that one may consecrate an animal on Shabbat. The Gemara answers: **There, too,** it is referring to a special case. **Since he normally goes to him** every year, the shepherd has already **consecrated it beforehand**, prior to Shabbat. The Gemara challenges this explanation: **But it taught that one may consecrate it**, indicating that the animal is only now being consecrated. The Gemara answers: This is not an actual sanctification in the normal sense, but rather **consecration by valuation**. By consecrating their animals on their own, the owners add further sanctity to the offering. This process is merely **rabbinic**, and it may be performed on Shabbat according to all opinions.

ומי אמר רבי יוחנן הכי? והא אמר רבי יוחנן: הלכה כסתם משנה, ותנן: לא מקדישין ולא מעריכין ולא מחרימין ולא מגביהין תרומות ומעשרות, כל אלו – ביום טוב אמרו, קל וחומר בשבת. לא קשיא; כאן – בחובות שקבוע להן זמן, כאן – בחובות שאין קבוע להן זמן.

The Gemara questions the very basis of this discussion: **Did Rabbi Yoḥanan really say this? But Rabbi Yoḥanan stated** as a general principle that the *halakha* is always **in accordance with an unattributed mishna**, i.e., a mishna that does not mention the name of the Sage whose ruling is quoted in the mishna. **And we learned** in an unattributed mishna: **One may not consecrate, or take a valuation vow, or consecrate objects for use by the priests or the Temple, or separate *terumot* or tithes;**¹ **they said** all of these prohibitions with regard to a Festival, and it is **an a fortiori inference** that these activities are prohibited on Shabbat as well. How, then, would Rabbi Yoḥanan have permitted sanctifying an animal on Shabbat or on a Festival? The Gemara answers: This is **not difficult**. **Here**, in the case in which Rabbi Yoḥanan deems it permitted, it is referring to **obligations that have a set time**, such that if the person does not consecrate the animal right now he will no longer be able to fulfill the mitzva. **There**, in the mishna that prohibits these activities, the prohibition is referring to **obligations that do not have a set time**, and one can therefore consecrate the animal after Shabbat.

מתני' מונה אדם את אורחיו ואת פפרותיו מפיו, אבל לא מן הכתב. מפסי אדם עם בניו ועם בני ביתו על השולחן, ובלבד שלא יתכוין לעשות מנה גדולה כנגד מנה קטנה. ומטילין חלשין על הקדשים ביום טוב, אבל לא על המנות.

MISHNA One may count his guests who are coming to his meal and his appetizers, as long as he does so from memory; but one may not read them from a written list, the reason for which will be explained in the Gemara. **A person may draw lots with his children and family members at the table on Shabbat**, in order to determine who will receive which portion, as long as he does not intend to set a large portion against a small portion in such a lottery. Rather, the portions must be of equal size. **And one may cast lots² among the priests for sanctified foods on a Festival, but not for the specific portions.**

Perek XXIII

Daf 149 Amud a

גמ' מאי טעמא? רב ביבי אמר: גזירה שמוא ימחוק. אביי אמר: גזירה שמוא יקרא בשטרי הדיוטות.

GEMARA We learned in the mishna that one may not read the names of his guests or the appetizers served in his meal from a written list. The Gemara asks: **What is the reason** for this prohibition? **Rav Beivai said:** It is a decree lest one erase something that is written on the list if he regrets inviting a particular guest or changes his mind about a particular dish. **Abaye said:** It is a decree lest one read regular business documents.

מאי בנייהו? איכא בנייהו: דכתב אבותל, ומידלי. למאן דאמר שמוא ימחוק – לא חיישינן, ולמאן דאמר שמוא יקרא – חיישינן.

The Gemara asks: **What is the practical difference between them?** The Gemara answers: **There** is a difference **between them** in a case in which the writing is on a wall and it is raised higher than a person can reach. **According to the one who says** that the decree was made lest one erase something from the list, in a case such as this **we are not concerned** about erasure because one cannot even reach the writing. **But according to the one who says** that the decree was made lest one read business documents, **we are still concerned** in this case.

שָׂמָא יִמְחֹק...שָׂמָא – Lest one erase...lest one read – שָׂמָא יִמְחֹק: Since these two concerns are so similar to one another, and it is impossible to rule out the possibility that a person might erase or read a business document on Shabbat, we accept both concerns expressed by Rav Beivai and Abaye. Therefore, they only disagree about cases where only one concern is applicable.

Rather, we should actually explain that the writing was on a wall and was raised – אֵלָא לְעוֹלָם דְּכָתֵב אֲבוּתָל – וּמִדְּלִי: The commentaries dispute the meaning of this part of the discussion. The Rif and others explain that it is a continuation of the previous discussion with regard to the distinction between the positions of Rav Beivai and Abaye. Other commentaries say that this statement introduces a new discussion, which attempts to resolve the differences between the mishna and the *baraita* with regard to reading a list on a wall.

HALAKHA

קְרִיאַת רְשִׁימַת הָאוֹרְחִים – Reading lists of guests or food – וְהַמְאֲכִילִים: It is prohibited to read lists of guests or food that one has prepared for a meal on Shabbat, even if they are written high up on a wall. The rationale is the concern that one might read business documents on Shabbat. Even if the list is engraved, rather than written, on a tablet or a board, it is still prohibited to read the list. However, if the list is engraved on a wall, it is permitted to read it. This ruling is in accordance with the opinion of Abaye (Rambam *Sefer Zemanim, Hilkhos Shabbat* 23:19; *Shulhan Arukh, Orach Hayyim* 307:12).

וְלִמָּאן דְּאָמַר "שָׂמָא יִמְחֹק" לִיְחוּשׁ שָׂמָא יִקְרָא. וְתוֹ: לְשָׂמָא יִמְחֹק לֹא חִיּוּשִׁין? וְהַתְנִי: לֹא יִקְרָא לְאוֹר הָנֶר, וְאָמַר רַבָּה: אֲפִילוּ גְבוּהַ שְׁתֵּי קוֹמוֹת, אֲפִילוּ גְבוּהַ שְׁתֵּי מַדְעוֹת, אֲפִילוּ עֶשְׂרֵה בֵּתִים זֶה עַל גְּבוּיָהּ – לֹא יִקְרָא.

אֵלָא, אִיכָא בִּינְיָהּ: דְּכָתֵב אֲבוּתָל וּמִיְתָתִי, לִמָּאן דְּאָמַר שָׂמָא יִמְחֹק – חִיּוּשִׁין, לִמָּאן דְּאָמַר שָׂמָא יִקְרָא – לֹא חִיּוּשִׁין, גּוּדָא בְּשִׁטְרָא לֹא מִיְחָלָהּ.

וְלִמָּאן דְּאָמַר "שָׂמָא יִקְרָא" לִיְחוּשׁ שָׂמָא יִמְחֹק. אֵלָא, אִיכָא בִּינְיָהּ: דְּחִיּוּק אֲטַבְּלָא וְאִפְיִנְקָס. לִמָּאן דְּאָמַר שָׂמָא יִמְחֹק – לֹא חִיּוּשִׁין. לִמָּאן דְּאָמַר שָׂמָא יִקְרָא – חִיּוּשִׁין.

וְלִמָּאן דְּאָמַר "שָׂמָא יִמְחֹק" לִיְחוּשׁ שָׂמָא יִקְרָא. וְכִי תִּימָא: טַבְּלָא וּפִינְקָס בְּשִׁטְרָא לֹא מִיְחָלָהּ – וְהַתְנִי: מוֹנֶה אָדָם אֶתְּסָה מִבְּפִנִּים וְכַמּוֹה מִבְּחוּץ, וְכַמּוֹה מְנוֹת עֲתִיד לְהִנָּח לְפָנֵיהֶם מִכְתָּב שְׁעַל גְּבוּיָהּ הַבּוֹתֵל, אֲבָל לֹא מִכְתָּב שְׁעַל גְּבוּיָהּ טַבְּלָא וּפִינְקָס.

הִכִּי דְּמִי? אִילִימָא דְּכָתִיב מִכְתָּב – מֵאִי שָׂמָא הָכָא וּמֵאִי שָׂמָא הָכָא? אֵלָא לֹא – דְּחִיּוּק, וְקִתְנִי: מִכְתָּב שְׁעַל גְּבוּיָהּ הַבּוֹתֵל, אֲבָל לֹא מִכְתָּב שְׁעַל גְּבוּיָהּ טַבְּלָא וּפִינְקָס.

אֵלָא לְעוֹלָם דְּכָתֵב אֲבוּתָל וּמִדְּלִי. וְדָקָא קָשְׁיָא לָךְ דְּרַבָּה – דְּרַבָּה תִּנְיָא הִיא. דְּתִנְיָא: מוֹנֶה אָדָם אֶת אֹרְחוֹ וְאֶת פִּרְפוּרוֹתָיו מִפְּנֵי אֲבָל לֹא מִן הַכְּתָב. רַבִּי אֲחָא מִתִּיר מִכְתָּב שְׁעַל גְּבוּיָהּ הַבּוֹתֵל.

הִכִּי דְּמִי? אִילִימָא דְּכָתִיב מִתְתָּא – לִיְחוּשׁ שָׂמָא יִמְחֹק. אֵלָא לֹא – דְּכָתֵב וּמִדְּלִי. וְשָׂמָע מִינָּה: דְּרַבָּה תִּנְיָא הִיא, שָׂמָע מִינָּה.

The Gemara asks: And according to the one who says that the decree was made **lest one erase**, we should also be concerned **lest one read**^N business documents. And furthermore, are we really not concerned **lest one erase** when the writing is high up? But wasn't it taught in a *baraita* that one may not read by the light of a lamp on Shabbat lest one adjust the lamp toward oneself; and Rabba said: Even even if the lamp was two statures of a person high, and even as high as two plow handles, and even if it was as high as ten houses one atop the other, one may not read by its light. This clearly demonstrates that when we are concerned that one may violate *halakha*, we do not distinguish between situations in which such a violation is more or less likely.

Rather, there is a difference between them in a case in which the writing is on a wall and it is low down. According to the one who says that the reason for the decree is **lest one erase**, in a case such as this we are concerned because one can easily reach the writing and erase it. However, according to the one who says that the decree was made **lest one read** business documents, we are not concerned because a wall will not be confused with a document, and reading from the wall will not cause one to then read business documents.

The Gemara asks further: And according to the one who says that the concern is **lest one read**, we should also be concerned **lest one erase**. Rather, there is a practical difference between them in a case where the writing is engraved on a tablet or on a board. According to the one who says that the concern is **lest one erase**, in a case such as this we are not concerned. Since the writing is not in ink, there is no concern that he will erase it. According to the one who says that the concern is **lest one read** business documents, we are concerned. The style of writing is irrelevant in terms of the likelihood that one will end up reading business documents.

The Gemara asks further: According to the one who says that the concern is **lest one erase**, we should also be concerned **lest one read** business documents. And if you say: A tablet or a board will not be confused with a document, but wasn't it taught explicitly in a *baraita*: One may count how many guests will sit inside, and how many guests will sit outside, and how many portions he will place before them^H from writing that is on the wall, but not from writing that is on a tablet or a board?

The Gemara attempts to clarify this: What are the circumstances of the case described in this statement? If you say that it was written in ink, what is the difference here, when the writing is on a wall, and what is the difference here, when the writing is on a tablet? Rather, is it not a case of a list that has been engraved, and nonetheless it teaches that one may read from writing that is on the wall but not from writing that is on a tablet or a board?

Rather, we should actually explain that the writing was on a wall and was raised.^N And with regard to what was difficult for you, based on Rabba's statement that prohibited reading by candlelight on Shabbat regardless of the height of the candle, which presumably means that in our case, too, we should be stringent regardless of the height of the writing, that statement of Rabba is the subject of dispute between *tanna'im*, as it was taught in a *baraita*: One may count one's guests and one's appetizers from memory, but not from a written list. Rabbi Aha permits reading from a written list that is on a wall.

The Gemara attempts to clarify this: What are the circumstances in which Rabbi Aha permits this? If you say that it is written below, low down on the wall, we should be concerned that perhaps one will erase it. Rather, is it not referring to a case in which it is written and the location of the writing is raised such that it is high up on the wall, and conclude from this that the statement of Rabba is the subject of dispute among the *tanna'im*? The Gemara concludes: Indeed, conclude from this that it is so.

אין רואין במראה – One may not look in a mirror on Shabbat – **בשבת**: Rabbeinu Hananel teaches that this prohibition is not based on the possibility of accidentally removing hairs. Rather, the law pertains to the mirror itself: Perhaps one will find dirt or rust on the mirror and polish it, thus violating of the prohibition of repairing on Shabbat. Rabbeinu Zerahya Halevi explains that, according to the Gemara's conclusion, all mirrors are prohibited due to the concern that one may use a metal one.

אל תפנו אל – **אל תפנו אל** [al tifnu el ha'elilim] – **האלילים**: Most of the commentaries understand that the word idols [elilim] is referring to anything that lacks true value, as well as to idols. Rashi and other commentaries do not explain the Gemara's teaching: Do not push God out of your mind [al tefannu El mida'atkhem], as cited above. Rather, they translate the phrase as follows: Do not turn toward your opinions [al tifnu el da'atkhem]. The Gemara warns people not to turn to things that human beings imagine on their own and which lack real significance.

LANGUAGE

Graven images [deyokenaot] – **דיוקנאות**: The origin of this word is not entirely clear. Some authorities state that it is derived from the Greek δεικάνον, deikanon, which refers to a picture, especially an embroidered one. Others think that it is related to the word εἰκών, eikon, which means statue or picture, with the added Hebrew or Greek prefix d or diyu.

והני תנאי בהני תנאי; דתנאי: אין רואין במראה בשבת, רבי מאיר מתיר במראה הקבוע בכותל.

The Gemara comments that in this matter, these *tanna'im* are like those *tanna'im*, who also argued over the same principle, as it was taught in a *baraita*: One may not look in a mirror on Shabbat^{NI} lest one see a hair hanging and pluck it. Rabbi Meir permits looking in a mirror that is fixed on a wall.

מאי שנא הקבוע בכותל – דאדוקי והכי מדבר, שאינו קבוע גמי – אדוקי והכי מדבר.

The Gemara questions Rabbi Meir's leniency: What is different about a mirror that is fixed on a wall? In that situation we say that, in the meantime, while one goes to bring scissors or another appliance to cut one's hair, one will remember that it is Shabbat and that it is prohibited to cut hair. If so, with regard to a mirror that is not fixed on a wall, we can also say that in the meantime one will remember.

הכא במראה של מתכת עסקינן, וכדבר נחמן אמר רבה בר אבבה: דאמר רב נחמן אמר רבה בר אבבה: מפני מה אמרו "מראה של מתכת – אסורה" – מפני שאדם עשוי להשיך בה נימין המדולדלין.

Rather, here we are dealing with a metal mirror, and it is as Rav Nahman said that Rabba bar Avuh said, for Rav Nahman said that Rabba bar Avuh said: For what reason did the Sages say that a metal mirror is prohibited for use on Shabbat? Because a person may remove hanging hairs with it, meaning that one may use the sharp edge of the mirror itself to cut the hairs. If the mirror is permanently set on the wall, we are not concerned that one will do this. This is similar to the view that one may read writing that is high up on a wall because it is impractical to erase the writing.

תנו רבנן: כתב המהלך תחת הצורה ותחת הדיוקנאות – אסור לקרותו בשבת. ודיוקנא עצמה – אף בחול אסור להסתכל בה, משום שנאמר "אל תפנו אל האלילים". מאי תלמודא? אמר רבי חנין: אל תפנו אל מדעתכם.

The Sages taught in a *baraita*: With regard to writing that is under a picture^H or under graven images [deyokenaot],^L it is prohibited to read it on Shabbat lest one end up reading business documents. And with regard to an idolatrous image^H itself, even on a weekday it is prohibited to look at it, because it says: "Do not turn toward idols [al tifnu el ha'elilim]^N or make yourselves molten gods, I am the Lord your God" (Leviticus 19:4). The Gemara asks for clarification: What is the biblical derivation? How does this verse indicate that one may not look at an idolatrous image? Rabbi Hanin said: Do not push God [al tefannu El] out of your mind by looking at these images (Arukh).

"מפני אדם עם בני וכו'". עם בני ועם בני ביתו – אין, ועם אחר – לא. מאי טעמא? דרב יהודה אמר שמואל: דאמר רב יהודה אמר שמואל: בני חבורה המקפידין זה על זה – עוברין משום מדה ומשום משקל, ומשום מנין, ומשום לוויין ומורעין ביום טוב.

We learned in the mishna that a person may draw lots with one's children and family members at the table on Shabbat to see who will receive which meal portion. The Gemara infers: With one's children and family members, yes, it is permitted, but with another person it is not. What is the reason for this? The Gemara explains that it is as Rav Yehuda said that Shmuel said, for Rav Yehuda said that Shmuel said: Members of a group who are eating together on Shabbat or on a Festival and who are particular with each other^H that no one receive a larger portion than anyone else are in violation of the prohibitions of measuring, and weighing, and counting merchandise on Shabbat or a Festival, and they are also in violation of the prohibition against lending and repaying on a Festival.

HALAKHA

אין רואין במראה – One may not look into a mirror on Shabbat, since it generally has a sharp edge that can be used to trim hairs. Even if the mirror is attached permanently to a wall, it is still prohibited to use it. However, it is permitted to look into any other type of mirror, with regard to which there is no concern that one will use it to trim one's hair. This ruling is in accordance with the *Tosefta* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 22:14; *Shulhan Arukh*, *Orach Hayyim* 302:13).

Writing that is under a picture – **כתב המהלך תחת הצורה**: It is prohibited to read the writing underneath pictures and graven images on Shabbat, lest one read business documents (Rashi; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:19; *Shulhan Arukh*, *Orach Hayyim* 307:15).

An idolatrous image – **דיוקן אלילי**: It is prohibited to look at

an idolatrous image because one may derive pleasure from looking at it (*Tosafot*; *Shakh*; Rambam *Sefer HaMadda*, *Hilkhot Avoda Zara* 2:2; *Shulhan Arukh*, *Yoreh De'a* 142:15).

Members of a group who are particular with each other – **בני חבורה המקפידין זה על זה**: If members of a formal group eat together on Shabbat or a Festival, and they are particular with one another, insisting on fair compensation for each item, they are prohibited to exchange portions with one another or return a portion that one has previously borrowed from another. This constitutes a violation of conducting business on Shabbat or a Festival (Rambam *Sefer Nezikin*, *Hilkhot Geneiva* 7:10). The *Shulhan Arukh* and other authorities do not mention this *halakha* because, according to the interpretation of *Tosafot*, the law with regard to such a group is no different than the law with regard to any informal group of people (*Beit Yosef*).

HALAKHA

מפיס אדם – מפיס אדם: It is permitted to distribute food portions to one's family members based on a lottery, provided that the portions are of equal size. However, it is prohibited to do so with other people. If the portions are of unequal size, even family members may not draw lots for them because this violates the prohibition of gambling, as the opinion of Rav, which permits this, is rejected in tractate *Bava Metzia* (Rif; Rosh). The Rambam permits drawing lots for unequal portions with one's family members (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:17; *Shulhan Arukh*, *Orah Hayyim* 322:6).

Due to the prohibition against gambling with dice – משום קוביא: It is prohibited to play dice or any other game in which the winner takes more than the loser. This is considered a form of stealing by rabbinic decree (Rambam *Sefer Nezikin*, *Hilkhot Gezeila VaAveida* 6:7; *Shulhan Arukh*, *Hoshen Mishpat* 370:2).

One may draw lots for sacrifices – ומטילין חלשין על: The priests are permitted to draw lots for portions of the Festival sacrifices on the Festival (see Ra'avad) because it is an act that demonstrates love for the mitzva. However, it is prohibited for them to do so for non-sacred food (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 4:20).

NOTES

Due to the prohibition against gambling with dice – משום קוביא: Dice players, who are professional gamblers, are among the people that the Sages disqualified as witnesses. The Sages disagreed with regard to the rationale for this *halakha*. According to some, the winnings from playing dice are not acquired in a legal manner because the other players do not expect to lose when they place their bets. Therefore, one who takes money in this fashion is considered a robber by rabbinic decree. *Tosafot* offer a somewhat similar explanation. Even according to those who say that money won through gambling is not considered stolen, gambling is nonetheless considered despicable behavior.

Weekday [hol] portions – מנות דחול: In his Commentary on the Mishna, the Rambam interpreted the phrase: Portions of *hol*, to mean: Portions that are non-sacred food [*hullin*]. Therefore, the priests may not draw lots for non-sacred food.

ובדברי (בית הלל) אף משום רבית.

אי הכי – בני ובני ביתו נמי. בני ובני ביתו היינו טעמא – כדבר יהודה אמר רב. דאמר רב יהודה אמר רב: מותר להלוות בני ובני ביתו ברבית, כדי להטעמין טעם רבית.

אי הכי – מנה גדולה כנגד מנה קטנה נמי.

אין הכי נמי, וחסורי מיחסרא והכי קתני: מפיס אדם עם בני ועם בני ביתו על השלחן, אפילו מנה גדולה כנגד מנה קטנה. מאי טעמא – כדבר יהודה אמר רב. עם בני ועם בני ביתו – אין, עם אחרים – לא. מאי טעמא – כדבר יהודה אמר שמואל. מנה גדולה כנגד מנה קטנה – אף בחול לאחרים אסור. מאי טעמא – משום קוביא.

“מטילין חלשין על וכו’.” מאי “אבל לא על המנות”? אמר רבי יעקב בריה דבית יעקב: אבל לא על המנות של חול ביום טוב. פשיטא. מהו דתימא: הואיל וכתוב “ועמך במריבי בהן” – אפילו מנות דחול נמי – קא משמע לן.

ואמר רבי יעקב בריה דבית יעקב: כל שחבירו נענש על ידו – אין מכניסין אותו במחיצתו של הקדוש ברוך הוא. מנלן? אילימא משום דכתיב “ויאמר ה’ מי יפתה את אחאב ויעל ויפול ברמות גלעד ויאמר זה בכה וזה אמר בכה ויצא הרוח ויעמוד לפני ה’ ויאמר אני אפתנו וגו’ ויאמר יצא והייתי רוח שקר בפי כל נביאיו ויאמר תפתה וגם תוכל יא ועשה כן”.

And according to Beit Hillel, they even violate the prohibition of interest. In Beit Hillel's view, it is prohibited to loan or return objects without determining their monetary value, lest the object rise in value and the borrower end up returning an item that is more expensive than the one he borrowed.

The Gemara asks: If this is so, and one violates so many prohibitions when drawing lots, it should be prohibited to do so with one's children and family members also. The Gemara answers: With regard to one's children and family members, this is the reason that it is permitted: It is like the ruling that Rav Yehuda said that Rav said, for Rav Yehuda said that Rav said: It is permitted to loan to one's children and family members with interest, in order to let them experience a taste of how difficult it is to repay a loan taken with interest. Also, in the case of family members, all the money, including the money used to repay the loan, belongs to the same person. Therefore, there is no real prohibition of interest.

The Gemara asks: If this is so, and everything in this case actually belongs to the father, and he uses a lottery system in order to educate his family, it should be permitted to cast lots for a big portion against a small portion also.

The Gemara answers: Yes, it is indeed so, and the mishna is incomplete and it teaches the following: A person may draw lots with his children^h and his family members at the table, and he may even do so with a large portion against a small portion. What is the reason for this? It is in accordance with the ruling that Rav Yehuda said that Rav said. Although with one's children and family members, yes, this is permitted, with others it is not. What is the reason for this? It is in accordance with the ruling that Rav Yehuda said that Shmuel said: Raffling a large portion against a small portion is prohibited to do for other people, even on a weekday. What is the reason? Due to the prohibition against gambling with dice,^{hn} which is prohibited by rabbinic law as a form of theft.

The mishna taught that one may draw lots for the sacrifices^h but not for the specific portions. This statement is not entirely clear, and the Gemara asks: What is the meaning of the phrase: But not for the specific portions? Rabbi Ya'akov, son of the daughter of Ya'akov, said that it means: But one may not draw lots for the weekday [hol] portionsⁿ on a Festival. The Gemara challenges: This is obvious. The Gemara answers: Lest you say that since the priests are naturally quarrelsome, which the Sages derive from that which is written: “Yet let no man strive, neither let any man reprove, for your people are like those that strive with the priest” (Hosea 4:4), and in order to maintain peace between them even lotteries for weekday portions were also permitted, therefore, the mishna teaches us that this is not the case.

Having quoted Rabbi Ya'akov, son of the daughter of Ya'akov, the Gemara brings another teaching of this *amora*. And Rabbi Ya'akov, son of the daughter of Ya'akov, said: Anyone who causes another to be punished on his account, they do not bring him within the partition of the Holy One, Blessed be He, even if he is right. The Gemara asks: From where do we know this? If you say it is because of what is written in the prophecy of Micaiah, that proof can be disputed. It is written: “And the Lord said: Who will entice Ahab to go up and fall at Ramot Gilad? And one said: In this manner, and another said: In that manner. And the spirit came out and stood before the Lord and said: I will entice him. And the Lord said to it: With what? And it said: I will go out and will be a lying spirit in the mouth of all of his prophets. And He said: You shall entice him and will prevail. Go out and do this” (1 Kings 22:20–22).

ואמרין מאי רוח? אמר רבי יוחנן: זה רוחו של נבואה. ומאי "צא"? אמר רב: צא ממחיצתי. ודילמא התם היינו טעמא, דכתיב "דובר שקרים לא יכון".

אלא מהכא "שבעת קלון מבוד שיה גם אתה והערל וגו'". "שבעת קלון מבוד" – זה נבוכדנצר, "שתה גם אתה והערל" – זה צדקיה. חדא: דכוליה קרא בנבוכדנצר כתיב, ועוד: צדקיה צדיקא, מאי הוה ליה למיעבד ליה? דאמר רבי יהודה אמר רב: בשעה שבקש אותו רשע לעשות לאותו צדיק כך וכו'.

אלא מהכא "גם ענוש לצדיק לא טוב" – אין "לא טוב" אלא רע. וכתיב "כי לא אל חפץ רשע אתה לא יגורך רע". צדיק אתה ה', ולא יגור במגורך רע.

מאי משמע דהאי חלשים לישנא דפורא הוא – דכתיב "איך נפלת משמים הילל בן שחר נגדעת לארץ חולש על גוים וגו'". אמר רבה בר רב הונא: מלמד שהיה מטיל פור על גדולי מלכות, לידע איזה בן יומו של משכב זכור. וכתיב "כל מלכי גוים כולם וגו'", אמר רבי יוחנן: שנחו ממשכב זכור.

ואמר רבי יוחנן: כל ימיו של אותו רשע לא נמצא שחוק בפה כל בריה, שנאמר "נחה שקטה כל הארץ פצחו רנה" – מכלל דעד השתא לא הוה רנה.

ואמר רבי יצחק אמר רבי יוחנן: אסור לעמוד בביתו של אותו רשע, שנאמר "ושעירים ירקדו שם".

ואמר רב יהודה אמר רב: בשעה שביקש אותו רשע לעשות לאותו צדיק כך, נמשכה ערלתו שלש מאות אמה, והיתה מחוורת על כל המסיבה כולה, שנאמר "שבעת קלון מבוד שיה גם אתה והערל". ערל בגימטריא שלש מאות הוי.

And we said: What is this spirit? Rabbi Yohanan said: This is the spirit of Naboth the Jezreelite, who asked to avenge his death at the hands of Ahab. And what is the meaning of the words: **Go out**, which God commanded him? Rav said: It means that he was given permission to entice Ahab, but God said: **Leave from within My partition**. Therefore, it seems that the spirit of Naboth was told to leave God's area because it caused Ahab to be punished. The Gemara rejects this proof: **But perhaps there, the reason is as it is written: "One who speaks lies shall not dwell before My eyes"** (Psalms 101:7), and this is the only reason that the spirit of Naboth was removed from within God's partition.

Rather, it is derived from here: **"You are filled with shame instead of honor. Drink, you, and be like one who is uncircumcised, the cup of the Lord's right hand will turn to you and filthiness shall be upon your glory"** (Habakkuk 2:16). The verse is expounded: **"You are filled with shame instead of honor"**; this is referring to Nebuchadnezzar. **"Drink, you, and be like one who is uncircumcised"**; this is referring to Zedekiah, who was also punished for being the cause of Nebuchadnezzar's punishment, as will be explained. The Gemara rejects this proof: **One objection to this is that the entire verse is written about Nebuchadnezzar**. And furthermore, with regard to Zedekiah, the righteous one, **what could he have done to him?** For Rav Yehuda said that Rav said about this matter: **When that wicked man wanted to do this to that righteous man, his foreskin was stretched**, as will be explained.

Rather, the basis for this idea is from here: **"Punishment is also not good for the righteous"** (Proverbs 17:26), meaning that it is not good for a righteous person to issue punishment. **There is no meaning of not good other than evil**. And it says: **"For You are not a God that desires wickedness, evil will not dwell with You"** (Psalms 5:5), meaning that You, God, are righteous and evil shall not dwell with You in Your place of dwelling. Even a righteous person who punishes someone and is called evil and cannot dwell within God's partition.

The Gemara asks: **From where may it be inferred that this term used in the mishna, *halashim*, is a word for lots?** As it is written: **"How have you fallen from heaven, O day-star, son of the morning! How have you been cut down to the ground, casting lots [*holesh*] over the nations!"** (Isaiah 14:12), and Rabba bar Rav Huna said: This verse teaches us that he, Nebuchadnezzar, would cast lots [*holesh*] for the royal leaders of the nations he had captured, in order to know whose day it was to service him with homosexual relations. And it is written: **"All the kings of the nations, all of themⁿ sleep in glory, every one in his own house"** (Isaiah 14:18). And Rabbi Yohanan said: The meaning of this verse is that they rested from homosexual relations.

And Rabbi Yohanan said: **All of the days of the life of that wicked man, laughter could not be found in the mouth of any creature, as it is stated: "The whole earth is at rest and is quiet; they break forth into singing"** (Isaiah 14:7). This proves by inference that until now there was not any song.

And Rabbi Yitzhak said that Rabbi Yohanan said: It is prohibited even nowadays to stand in the ruins of the house of that wicked man, Nebuchadnezzar, in Babylonia, for it is stated about that place: **"And demons shall dance there"** (Isaiah 13:21). There is concern that one may be injured by the harmful forces there (Maharsha).

And Rav Yehuda said that Rav said: **At the time when that wicked man, Nebuchadnezzar, wanted to do to that righteous man, Zedekiah,ⁿ this act of sodomy, his foreskin was stretched three hundred cubits, and it surrounded the entire company at Nebuchadnezzar's feast, as it is stated: "Woe to one who gives his neighbor drink, who puts your venom in and also makes him drunk so that you may look upon their nakedness. You are filled with shame instead of honor. Drink, you, and be like one who is uncircumcised [*vehe'arel*]"** (Habakkuk 2:15–16). The word *arel*, which refers here to one who is uncircumcised and also connotes the foreskin, has a numerical value of three hundred.

All of the kings of the nations, all of them, etc. – **כל מלכי גוים כולם וכו'** – In other words, after Nebuchadnezzar's death, all of the kings he had captured slept honorably in their own homes. While he was alive, they slept in shame in his palace (Maharsha).

Nebuchadnezzar and Zedekiah – נבוכדנצר – The exposition about Nebuchadnezzar's homosexual activity is based on the following verse, which is not quoted in the Gemara: **"Woe to one who gives his neighbor drink, who puts your venom in and also makes him drunk so that you may look upon their nakedness"** (Habakkuk 2:15). This is interpreted as an allusion to Nebuchadnezzar's practice of intoxicating his male guests so he could engage in homosexual relations with them (Maharsha). This basic storyline is one that was familiar in talmudic times, due to current events. The memoirs of the early Roman emperors are replete with stories similar to these about Nebuchadnezzar.

ואמר רב יהודה אמר רב: בשעה שירד אותו רשע לגיהנם רעשו כל יורדי גיהנם, אמרו: שמא למשול עליהם הוא בא, או ליחלות כמותם הוא בא? שנאמר "גם אתה חולית כמונו אלינו נמשלת". יצאתה בת קול ואמרה "ממי נעמת רדה והשכבה את ערלים".

"איך שבת נוגש שבתה מדהבה" אמר רבי יהודה אמר רב: שבתה אומה זו שאמרה

And Rav Yehuda also said that Rav said: When that wicked man descended into Gehenna, everyone who had already descended to Gehenna trembled, and they said, referring to themselves in third person: Perhaps he is coming to rule over them; or is he coming to be weakened like them? As it is stated: "They all answer and say to you: Have you also become weak like us? Have you become like us [*eleinu nimshalta*]?" (Isaiah 14:10). The Hebrew phrase: *Eleinu nimshalta*, can mean: Have you become like us, or alternatively: Have you come to rule over us. A Divine Voice emerged and said: "Whom do you pass in beauty? Go down and be laid with the uncircumcised" (Ezekiel 32:19). This confirmed that Nebuchadnezzar has the same status in Gehenna as everyone else.

On a related note, the verse states: "And you shall take up this parable against the king of Babylonia and you shall say: How has the oppressor ceased. The exactor of gold has ceased" (Isaiah 14:4). Rav Yehuda said that Rav said: The meaning of this verse is that this nation that said:

Perek XXIII
Daf 150 Amud a

HALAKHA

לא ישכור – A person may not hire workers on Shabbat – אדם פועלים בשבת: It is prohibited to hire workers on Shabbat (Rambam *Sefer Zemanim, Hilkhos Shabbat* 23:12; *Shulhan Arukh, Orah Hayyim* 307:2).

One may not wait for nightfall at the edge of the Shabbat boundary – אין מחשיכין על התחום וכי – It is prohibited to walk to the edge of the Shabbat boundary toward the end of Shabbat in order to hire workers or perform an activity prohibited on Shabbat immediately after Shabbat ends. However, one may walk to the edge of the boundary to retrieve one's animal or to perform any activity that is permitted on Shabbat. Some authorities rule that it is only permitted to retrieve one's animal if the animal can walk on its own (Rambam *Sefer Zemanim, Hilkhos Shabbat* 24:3; *Shulhan Arukh, Orah Hayyim* 306:1).

Telling a gentile on Shabbat – אומיה לגוי – The Sages prohibited asking a gentile to perform a prohibited labor on Shabbat (Rambam *Sefer Zemanim, Hilkhos Shabbat* 6:1).

NOTES

Telling a gentile to do something that is prohibited for a Jew on Shabbat violates a rabbinic prohibition – אומיה לגוי שבות: Some commentaries interpret this question as a statement of surprise: If the statement is referring to another who is a gentile, one should be permitted to ask the gentile to hire workers because asking a gentile to perform a prohibited labor on Shabbat is only prohibited by rabbinic law. According to this interpretation, prohibiting to ask a gentile to hire laborers on Shabbat, which is also only prohibited by rabbinic law, involves issuing a decree to prevent violation of another decree, which is contrary to a halakhic principle adopted by the Sages (*Me'iri*).

מדוד והבא. ואיכא דאמרי: שאמרה "מאד מאד הביא בלא מדה".

"ורבו יתירה הוספת לי". אמר רב יהודה אמר רב ירמיה בר אבא: מלמד שרכב על ארי זכר, וקשר תנין בראשו, לקיים מה שנאמר "וגם את חית השדה נתתי לו לעבדו".

מתני' – לא ישכור אדם פועלים בשבת ולא יאמר אדם לחבירו לשכור לו פועלים. אין מחשיכין על התחום לשכור לו פועלים ולהביא פירות, אבל מחשיך הוא לשמור, ומביא פירות בידו. כלל אמר אבא שאול: כל שאני זכאי באמירתו – רשאי אני להחשיך עליו.

גמ' (פשיטא) מאי שנא הוא ומאי שנא תבירו? אמר רב פפא: חביר גוי. מתקיף לה רב אשי: אומיה לגוי שבות.

Measure and bring a lot of money, has ceased. And some say that the meaning of the statement is that this nation said: Bring very, very much, without measure.

The Gemara cites another verse pertaining to Nebuchadnezzar: "And surpassing greatness was added unto me" (Daniel 4:33), about which Rav Yehuda said that Rav Yirmeya bar Abba said: This teaches that Nebuchadnezzar rode atop a male lion and tied a serpent to its head, fulfilling what was said of him: "And the beasts of the field I have also given him to serve him" (Jeremiah 27:6).

MISHNA A person may not hire workers on Shabbat^h to work for him after Shabbat because even speaking about weekday matters is prohibited on Shabbat. Similarly, a person may not tell another on Shabbat to hire workers for him. One may not even wait for nightfall at the edge of the Shabbat boundary^d in order to leave the boundary immediately after Shabbat to hire workers for himself or to bring produce from his field. But he may wait for nightfall at the edge of the Shabbat boundary in order to guard his produce that is outside the Shabbat boundary, and he may then bring produce back in his hand, since he did not initially intend to wait at the edge of the boundary for this purpose. Abba Shaul stated a general principle: With regard to anything that I am permitted to discuss on Shabbat, I am permitted to wait for nightfall at the edge of the Shabbat boundary for its sake.

GEMARA The beginning of the mishna taught that one may not hire workers on Shabbat, and one may not tell another to hire workers for him. The Gemara finds this puzzling and states: This is obvious. What is the difference between him and another? Just as he is prohibited from hiring workers on Shabbat, others are also prohibited from doing so. Rav Pappa said: Another is referring to a gentile. Rav Ashi strongly objects to this: This is itself a prohibition, for telling a gentile to do something that is prohibited for a Jew on Shabbat^h violates a rabbinic prohibition.^N

Does it seem that you will join me this evening – **הֲנִרְאָה שְׂתַעֲמֹד עִמִּי לָעֶרֶב**: One is permitted to ask another person: Does it seem that you will join me this evening, even if it is understood that the speaker wants to hire the listener to work for him after Shabbat (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 24:4; *Shulḥan Arukh*, *Orah Hayyim* 307:7).

Sacred matters in the presence of nudity – **דְּבָרֵי קְדוּשָׁה בְּנֶגַד הָעֶרְוָה**: It is prohibited to recite *Shema* or other prayers in the presence of nakedness, including that of a gentile (Rambam *Sefer Ahava*, *Hilkhot Keriat Shema* 3:16; *Shulḥan Arukh*, *Orah Hayyim* 75:4).

אֵלֶּא אָמַר רַב אֲשִׁי: אִפְּלוּ תִּימָא חֲבִירוֹ וְיִשְׂרָאֵל, הָא קָא מְשַׁמַּע לָן: לֹא יֹאמַר אָדָם לְחֲבִירוֹ "שְׂכֹר לִי פּוֹעֵלִים", אֲבָל אוֹמֵר אָדָם לְחֲבִירוֹ "הֲנִרְאָה שְׂתַעֲמֹד עִמִּי לָעֶרֶב?" וּמִתְנִיתִין מִנִּי – כְּרַבִּי יְהוֹשֻׁעַ בֶּן קִרְחָה. דִּתְנִינָא: לֹא יֹאמַר אָדָם לְחֲבִירוֹ "הֲנִרְאָה שְׂתַעֲמֹד עִמִּי לָעֶרֶב"? רַבִּי יְהוֹשֻׁעַ בֶּן קִרְחָה אוֹמֵר: אוֹמֵר אָדָם לְחֲבִירוֹ "הֲנִרְאָה שְׂתַעֲמֹד עִמִּי לָעֶרֶב?"

אָמַר רַבָּה בְּרַב חֲנָה אָמַר רַבִּי יוֹחָנָן: הֲלָכָה כְּרַבִּי יְהוֹשֻׁעַ בֶּן קִרְחָה. וְאָמַר רַבָּה בְּרַב חֲנָה אָמַר רַבִּי יוֹחָנָן: מֵאִי טַעְמָא דְּרַבִּי יְהוֹשֻׁעַ בֶּן קִרְחָה – דְּכָתִיב "מִמָּצוֹא חֲפָצְךָ וְדִבְרֶךָ דְּבָרֶיךָ" – אָסוּר, הֲרֵהוּר – מוֹתֵר.

רַבִּי לִיָּהּ רַב אַחָא בְּרַב הוּנָא לְרַבָּא: מִי אָמַר רַבִּי יוֹחָנָן דִּיבּוּר אָסוּר הֲרֵהוּר מוֹתֵר, אֲלֵמָא: הֲרֵהוּר לֹא כְּדִיבּוּר דְּמִי. וְהָאֵמַר רַבָּה בְּרַב חֲנָה אָמַר רַבִּי יוֹחָנָן: בְּכָל מְקוֹם מוֹתֵר לְהִרְהוּר – חוּץ מִבֵּית הַמֶּרְחָץ וּמִבֵּית הַכֶּסֶּא. שְׂאֵנִי הָתֵם, דְּבַעֲיֵנָּה "וְהָיָה מִחֲנִיךְ קְדוֹשׁ", וְלִיכָא.

הָכָא נִמְי כְּתִיב "וְלֹא יִרְאָה בֶּן עֲרוֹת דְּבָרֶיךָ". הֵהוּא מִיבְעֵי לִיָּהּ לְכַדְרֵב יְהוּדָה, דְּאָמַר רַב יְהוּדָה: גּוֹי עָרוֹם אָסוּר לְקוֹרֵת קְרִית שְׂמַע כְּנָגְדוֹ.

מֵאִי אִירִיא גּוֹי, אִפְּלוּ יִשְׂרָאֵל נִמְי? לֹא מִיבְעֵינָא קְאָמַר; לֹא מִיבְעֵינָא יִשְׂרָאֵל דְּאָסוּר; אֲבָל גּוֹי בֵּין דְּכָתִיב בֵּיהּ "אֲשׁוּר בָּשָׂר חֲמוּרִים בְּשָׂרָם" – אִימָא שְׂפִיר דְּמִי, קָא מְשַׁמַּע לָן.

Rather, Rav Ashi said: Even if you say that it is referring to another Jew, it can be said that the novel element of this ruling is not the statement itself but what can be derived from it. **This is what it is teaching us: One may not say to another explicitly on Shabbat: Hire workers for me, but one may say to another: Does it seem that you will join me this evening?**^N This is permitted even though both of them understand that the questioner intends to hire the other person to work for him. And in accordance with whose opinion is the mishna? It is in accordance with the opinion of Rabbi Yehoshua ben Korḥa; as it was taught in a *baraita*: **A person may not say to another on Shabbat: Does it seem that you will join me this evening?** Rabbi Yehoshua ben Korḥa says: **A person may say to another on Shabbat: Does it seem that you will join me this evening?**^H

Rabba bar bar Hana said that Rabbi Yoḥanan said: The *halakha* is in accordance with the opinion of Rabbi Yehoshua ben Korḥa. And Rabba bar bar Hana said that Rabbi Yoḥanan said: What is the reason for Rabbi Yehoshua ben Korḥa's ruling? As it is written in the verse from which we derive the prohibition to speak on Shabbat about activities that one may not perform on that day: "And you shall honor it by not doing your ways, nor pursuing your business, nor speaking of it" (Isaiah 58:13). We derive from this verse that **speaking is prohibited**, but merely **contemplating** these matters is permitted.

Rav Aḥa bar Rav Huna raised a contradiction to Rava: Did Rabbi Yoḥanan really state as a general principle that **speaking is prohibited**, but **contemplating is permitted**? Consequently, we can derive from here that **contemplation is not tantamount to speech**. But Rabba bar bar Hana said that Rabbi Yoḥanan said: **It is permitted to think about Torah in any place except for a bathhouse and a bathroom**. This statement indicates that contemplation is tantamount to speech, as even thought is prohibited in these locations. The Gemara answers: **It is different there, for with regard to Torah we need to fulfill the verse:** "For the Lord your God walks in the midst of your camp to deliver you and to give your enemies before you; therefore, your camp shall be sacred so that He see no unseemly thing in you and turn away from you" (Deuteronomy 23:15); **and the requirement to be sacred is not fulfilled** if one thinks about Torah while in the bathhouse or bathroom.

The Gemara challenges this: But **here, too**, with regard to a bathhouse and a bathroom, **it is written: "So that He see no unseemly thing [davar] in you"** (Deuteronomy 23:15). We can infer that this prohibits speech [*dibbur*] but not contemplation. The Gemara answers: **That verse is not referring to speech. It is needed for the ruling of Rav Yehuda, for Rav Yehuda said: Opposite a naked gentile,^N it is prohibited to recite *Shema*, as this is included in the prohibition of unseemly things mentioned above.**^H

The Gemara asks: **Why did Rav Yehuda teach this prohibition particularly with regard to a gentile? Even in the presence of a naked Jew, reciting *Shema* is also prohibited.** The Gemara answers: That ruling is stated employing the style of: **There is no need**. The Gemara explains: **There is no need** to state this *halakha* with regard to a Jew, as it is certainly prohibited to recite *Shema* in the presence of a naked Jew. However, with regard to a gentile, **since it is written about him: "Whose flesh is as the flesh of donkeys"** (Ezekiel 23:20), perhaps his flesh is not considered nakedness, and one may say that it seems well and permitted. Therefore, Rav Yehuda teaches us that it is also prohibited to recite *Shema* before a naked gentile.

NOTES

הֲנִרְאָה שְׂתַעֲמֹד – Does it seem that you will join me this evening – עִמִּי לָעֶרֶב: Some authorities explain that the person speaking is not hinting that he wants to hire the listener. Rather, the speaker is asking to meet that evening so that the listener can hire workers for him (*Tosefot Rid*).

A naked gentile – גּוֹי עָרוֹם: The question with regard to the status of a naked gentile depends on the nature of the pro-

hibition of reciting *Shema* in the presence of one who is unclothed. Is the rationale a matter of the sexual arousal that might result, or is it simply a Torah decree and the rationale is irrelevant? If it is a Torah decree, there is reason to assume that the prohibition only applies to a Jew, in the same way that the *halakhot* of ritual impurity apply only to Jews. Therefore, the nakedness of a gentile would not be considered prohibited nakedness.

חֲשֻׁבוֹת שֶׁל מִצְוָה – Calculations pertaining to a mitzva: It is permitted to speak about matters pertaining to a mitzva on Shabbat, such as calculating amounts to be apportioned as charity or issues relating to the needs of the community (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 24:5; *Shulḥan Arukh*, *Orah Ḥayyim* 306:6).

חֲשֻׁבוֹת אֲסוּרִים – Prohibited calculations: It is prohibited to make calculations pertaining to weekday matters on Shabbat, even if the matter has passed, such as calculating one's previous expenses. However, this rule applies only when one still owes money. If one has already paid all of these debts, then the calculation is of no practical relevance [*ma bekhakh*] and is permitted (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 23:18; *Shulḥan Arukh*, *Orah Ḥayyim* 307:6).

LANGUAGE

טֵרֵיאוֹת [*tarteiot*] – From the Greek θέατρον, *theatron*, meaning a place where performances are staged or a place of public gathering.

קִרְקֵסָאוֹת [*kirkesaot*] – Circus performances: From the Latin circus, meaning an arena where fights between animals or between animals and humans are staged for the public.

בְּסִילְקָאוֹת [*basilkaot*] – Courthouses: From the Greek βασιλική, *basilikē*, or the Latin basilica, which refer to a large hall or palace that is divided into several parts by rows of columns.

אֵימָא הָכִי נָמִי. אָמַר קָרָא "וְעֵרוֹת אֲבִיהֶם לֹא רָאוּ".

וְדִיּוֹר מִי אָסִיר? וְהָא רַב חֲסִידָא וְרַב הַמְּנוּנָא דְאָמְרֵי תְרוּיָהּ: חֲשֻׁבוֹת שֶׁל מִצְוָה – מוֹתֵר לְחַשְׁבֵּן בְּשַׁבָּת. וְאָמַר רַבִּי אֶלְעָזָר: פּוֹסְקִים צְדָקָה לְעֵנִיִּים בְּשַׁבָּת. וְאָמַר רַבִּי יַעֲקֹב בַּר אִידִי אָמַר רַבִּי יוֹחָנָן: מִפְּקָחִין פִּיקוּחַ נֶפֶשׁ וּפִיקוּחַ רַבִּים בְּשַׁבָּת, וְהוֹלְכִין לְבֵתֵי בְּנֵי־סוּת לְפָקֵחַ עַל עֶסְקֵי רַבִּים בְּשַׁבָּת.

וְאָמַר רַבִּי שְׁמוּאֵל בַּר נַחֲמָנִי אָמַר רַבִּי יוֹחָנָן: הוֹלְכִין לְטֵרֵיאוֹת וּלְקִרְקֵסָאוֹת וּלְבְּסִילְקָאוֹת לְפָקֵחַ עַל עֶסְקֵי רַבִּים בְּשַׁבָּת. וְתַנָּא דְּבֵי מְנַשֶּׁה: מְשַׁדְּכִין עַל הַתִּינוּקוֹת לֵיאִוֶּרֶם בְּשַׁבָּת, וְעַל הַתִּינוּק לְלַמְּדוֹ סֵפֶר וּלְלַמְּדוֹ אוֹמָנוּת אָמַר קָרָא "מִמַּצּוֹא חֲפָצֶךָ וּדְבַר דְּבָר", חֲפָצֶיךָ – אֲסוּרִים, חֲפָצֵי שְׁמִים – מוֹתְרִין.

אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: חֲשֻׁבוֹת שֶׁל [מֶלֶךְ] וְשֶׁל מֶה בֶּכֶךְ – מוֹתֵר לְחַשְׁבֵּן בְּשַׁבָּת. תַּנְיָא נָמִי הָכִי: חֲשֻׁבוֹת שְׁעָבְרוּ וְשִׁעְתִּידִין לֵהִיּוֹת – אֲסוּר לְחַשְׁבֵּן, שֶׁל מֶלֶךְ.

The Gemara asks: Why not say that it is indeed so, that gentile flesh is not considered nakedness? The Gemara rejects this idea: **The verse already said** with regard to the sons of Noah: "And they walked backward and covered their father's nakedness, and their faces were turned backward, and they did not see their father's nakedness" (Genesis 9:23). The verse uses the term nakedness with regard to Noah, who was a gentile.

The Gemara addresses the basis of the *halakha* mentioned above: **And is it speaking** about proscribed activities **prohibited** on Shabbat? But Rav Ḥisda and Rav Hamnuna both said: **It is permitted** to make calculations pertaining to a mitzva^h on Shabbat, and Rabbi Elazar said that this means that one may apportion charity for the poor on Shabbat. And Rabbi Ya'akov bar Idi said that Rabbi Yohanan said: One may attend to activities necessary for saving a life or for communal needs on Shabbat, and one may go to a synagogue to attend to communal affairs on Shabbat.

And Rabbi Shmuel bar Nahmani said that Rabbi Yohanan said: One may go to theaters [*tarteiot*],¹ and circus performances [*kirkesaot*],^{1b} and courthouses [*basilkaot*]¹ to attend to communal affairs on Shabbat. And one of the Sages in the school of Menashe taught: One may make the necessary arrangements to pair off children so that they will be betrothed on Shabbat, and one may likewise make arrangements for a child by finding someone to teach him how to read books and to teach him a craft. If speaking about monetary matters is prohibited on Shabbat, how is it possible to participate in all these activities? The Gemara answers that although speaking about similar things is generally prohibited on Shabbat, it is permitted in these cases because the verse said: "Nor pursuing your business, nor speaking of it" (Isaiah 58:13), which indicates that **your business matters are prohibited** to speak of on Shabbat, but the **business of Heaven**, matters which have religious significance, is **permitted** to speak of.

Rav Yehuda said that Shmuel said: With regard to calculations of: What is it to you, [*mallakh*],ⁿ calculations that are in no way relevant to the person making them, and of: What significance does it have [*ma bekhakh*], calculations that do not have any practical significance, it is **permitted** to make them on Shabbat. This was also taught in the *Tosefta*: Calculations with regard to matters that have passed or that will be in the future may not be calculated^h on Shabbat. However, with regard to calculations of: What is it to you,

BACKGROUND

תיאטרות וקרקסאות – Theaters and circuses: Permission to enter theaters and circuses on Shabbat was not limited to public gatherings at which important decisions were made relating to the city, but also applied to entrance during performances. At times, Jews were brought out before the audience either as a form of

public disgrace or to participate in matches with gladiators or with animals. Oftentimes, it was possible for the crowd to save the lives of the fighters, and for this reason attending these events was considered a matter of saving Jewish lives and protecting the community.

NOTES

חֲשֻׁבוֹת שֶׁל מֶלֶךְ [*mallakh*] – What is it to you: Many interpretations have been offered for the term *mallakh*. Some commentaries explain that it is related to the words *meyalekh* and *mehalekh*, referring to calculations of guests who come and go. This is similar to the statement that permits determining which guests will come eat at one's home (Rabbeinu Ḥananel; *Arukh*). Other

authorities suggest that the word is related to advice [*nimlakh*] and is referring to words of advice that one gives to others that are not directly pertinent to oneself (Rashi). An alternative explanation cited in the *Arukh* maintains that the word is king [*melekh*] and is referring to calculating the cost of various projects that the government is interested in implementing.

וְשָׁלַח מָה בְּכֶךְ – מוֹתֵר לְחוֹשְׁבֵּן.

וּרְמִינָהוּ: חוֹשְׁבֵּין חֲשֻׁבוֹנוֹת שְׂאִינָן צְרִיכִין, וְאִין מַחֲשָׁבִין חֲשֻׁבוֹנוֹת שְׂצָרִיכִין בְּשִׁבְתָּ. בִּיצֵד, אָמַר אָדָם לְחִבְרֹו: כֵּךְ וְכֵךְ פּוֹעֲלִים הוֹצֵאתִי עַל שָׂדֶה זֶה, כֵּךְ וְכֵךְ דִּיגְרִין הוֹצֵאתִי עַל דִּירָה זֶה. אָבֵל לֹא יֵאמַר לוֹ: כֵּךְ וְכֵךְ הוֹצֵאתִי, וְכֵךְ וְכֵךְ אֵין עֲתִיד לְהוֹצִיא

וּלְטַעֲמֵךְ, קִשְׁיָא לָךְ הִיא גּוֹפָא. אֵלָּא, הָא דְאֵיכָא אֲגָרָא דְאֲגִירָא גְבִיָהּ, הָא – דְלִיכָא אֲגָרָא דְאֲגִירָא גְבִיָהּ.

“אִין מַחֲשִׁיבִין.” תִּנּוּ רַבִּנָּן: מַעֲשֶׂה בְּחָסִיד אֶחָד שֶׁנִּפְרָצָה לוֹ פֶּרֶץ בְּתוֹךְ שָׂדֶהוּ, וְנִמְלַךְ עָלָיו לְגוֹדְרֵה, וְנִכְבַּר שְׂשִׁבְתָּ הוּא, וְנִמְנַע אוֹתוֹ חָסִיד וְלֹא גִדְרָה. וְנַעֲשֶׂה לוֹ נֶס, וְעֲלָתָהּ בּוֹ צֶלֶף וּמִמֶּנָּה הִיָּתָה פְּרִנְסָתוֹ וּפְרִנְסַת אֲנָשֵׁי בֵיתוֹ.

אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: מוֹתֵר לְאָדָם לֹאמַר לְחִבְרֹו “לְכֹךְ פְּלוֹנִי אֲנִי הוֹלֵךְ לְמַחֲרָה,” שְׂאֵם יֵשׁ בּוֹרְגָנִין – הוֹלֵךְ.

and of: What significance does it have, it is permitted to calculate them.

The Gemara raises a contradiction based on what was taught in another *baraita*: One may make calculations that are unnecessary, but one may not make calculations that are necessary on Shabbat. How so? One may say to another: I sent out such and such number of workers to this field, and I spent such and such number of *dinar* for this home. But he may not say to him: I spent such and such amount of money, and I am going to spend such and such amount in the future. Apparently, one is permitted to calculate one's previous expenditures on Shabbat.

The Gemara responds: And according to your reasoning, it itself, the *Tosefta* quoted previously, is difficult for you, for it prohibits calculating past expenditures while allowing one to make calculations that do not have practical significance. Rather, it must be explained in the following manner: This *Tosefta*, which taught that it is prohibited to calculate past expenses, is referring to a case in which he has payment with him that he still owes his workers. Therefore, although his calculation pertains to projects that have already been completed, it is still relevant in a practical manner. And this *baraita*, which taught that it is permitted to calculate past expenses, is referring to a case in which he does not have payment with him that he must still pay his workers, and therefore his calculation does not have practical significance.

We learned in the mishna that one may not wait for nightfall at the edge of the Shabbat boundary in order to hire workers or bring produce from outside of the boundary immediately after Shabbat. The Sages taught: There was an incident with a pious man^N in which a breach was made in the fence around his field, and when he saw it he decided to fence it in. And then he remembered that it was Shabbat. And that pious man refrained from fixing the fence forever because he had thought about fixing it on Shabbat. And a miracle was done for him, and a caper bush grew in the breach, thereby closing it up. And from it and its produce he then received his livelihood and the livelihood of the members of his household.

Rav Yehuda said that Shmuel said: A person is permitted to say to another on Shabbat: I am going to such and such city tomorrow,^H for if there were small guardhouses [*burganin*]^{LBN} one would be permitted to walk. If small guardhouses, from which the surrounding area and fields could be watched, were located along the way one needs to travel, the entire area would attain the status of a single city, and walking from one part to the other on Shabbat would be permitted *ab initio*. Since it would be permitted to traverse this area on Shabbat with *burganin* present, it is permitted to talk about such a journey on Shabbat, even when these guardhouses are not present. This is because it is permitted to speak about or prepare for something that can be done in a permitted fashion on Shabbat, even in the absence of the conditions that make it permitted.

HALAKHA

לְכֹךְ פְּלוֹנִי – לְכֹךְ פְּלוֹנִי: It is permitted to say to another person: I am going to such and such city tomorrow. It is even permitted to say: Come with me, as it would be permitted to walk there on Shabbat if there were continuous housing. In addition, one may speak with others about doing something after Shabbat that is permissible to do on Shabbat (Rambam *Sefer Zemanim, Hilkhos Shabbat* 24:3; *Shulḥan Arukh, Oraḥ Ḥayyim* 307:8).

LANGUAGE

Guardhouses [*burganin*] – בּוֹרְגָנִין: The origin of this word is unclear. Some think that it is a derivative of Greek or Latin. Others say that it comes from the German word *burg*, which refers to a fortress or settled area. The word may have been picked up by Roman soldiers and eventually spread to the rest of the Roman Empire.

BACKGROUND

Guardhouses [*burganin*] – בּוֹרְגָנִין: *Burganin* were small fortified houses where an appointed official, or a *burgani*, would sit. He was charged with military responsibility over the area surrounding the *burgan*.



Burgan

NOTES

מַעֲשֶׂה בְּחָסִיד – There was an incident with the pious man: The pious man did not actually violate a prohibition by thinking about repairing his fence on Shabbat, as it was already established that it is permitted to think about one's affairs. Still, he refrained from actualizing this unintentional thought. He was rewarded with a miracle due to his exceptional display of scrupulousness (Maharsha; *Taz*).

שְׂאֵם יֵשׁ – For if there were small guardhouses [*burganin*] – בּוֹרְגָנִין: The Gemara in tractate *Eiruv* teaches the details of the various *halakhot* with regard to Shabbat boundaries. In general

terms, one may not walk past the boundaries of the location in which one establishes his presence at the beginning of Shabbat. The Shabbat boundary is defined as a distance of two thousand cubits beyond the settled area in which one is spending Shabbat. At times, however, there are houses, guard booths, and the like between two different towns. If there is contiguous housing in which the buildings are no more than seventy cubits apart, the entire expanse is considered one continuous area of settlement, and it is permitted to walk from one town to another even over great distances.

One may wait for nightfall at the edge of the Shabbat boundary in order to attend to the needs of a bride or the needs of a corpse – מחשיבין על התחום – לפקח על עסקי בלה ועל עסקי המת: It is permitted to wait for nightfall at the edge of the Shabbat boundary for the sake of a bride or a corpse (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 24:5; *Shulhan Arukh*, *Orah Hayyim* 306:3).

It is prohibited for a person to attend to his weekday affairs before he recites *havdala* – אסור לו לאדם – שיעשה חפציו קודם שיבדיל: When Shabbat ends, one may neither perform prohibited labor nor eat before reciting *havdala*. However, if one recited *havdala* during the evening prayer, one is permitted to perform labor before reciting *havdala* over wine. Reciting: The One who distinguishes between the sacred and the profane, without reciting a blessing and without a cup of wine, permits one to engage in labor but not to eat (Rambam *Sefer Zemanim*, *Hilkhot Shabbat*, 29:5; *Shulhan Arukh*, *Orah Hayyim* 299:10).

NOTES

To cut him a myrtle branch – למיגזא לה אסא – It was customary to make a wedding canopy from myrtle branches, and people would assume this responsibility on behalf of the bride.

תנן: אין מחשיבין על התחום לשכור פועלים ולהביא פירות. בשלמא לשכור פועלים – דבשבת לא מצי אגר, אלא להביא פירות – לימא: שאם יש שם מחיצות – מביא. משכחת לה בפירות המחוברים.

והתני רבי אשיעאי: אין מחשיבין על התחום להביא תבן וקש; בשלמא קש – משכחת לה במחובר. אלא תבן, היכי משכחת לה? בתיבנא סריא.

תא שמע: מחשיבין על התחום לפקח על עסקי בלה ועל עסקי המת. על עסקי בלה ומת – אין, על עסקי אחר – לא.

בשלמא אחר דומיא דבלה משכחת לה: למיגזא ליה אסא. אלא מת מאי ניהוי? להביא לו ארון ותכריכין – וקתני: מת – אין, אבל אחר – לא.

ואמאי? לימא: שאם יש שם מחיצות – מביא. מת נמי משכחת לה – למיגזא ליה גלימא.

”אבל מחשיבין”. ואף על גב דלא אבדיל? והאמר רבי אלעזר בן אנטיגנוס משום רבי אליעזר בן יעקב: אסור לו לאדם שיעשה חפציו קודם שיבדיל. וכי תימא – דאבדיל בתפלה, והאמר רב יהודה אמר שמואל: המבדיל בתפלה צריך שיבדיל על הכוס. וכי תימא – דאבדיל על הכוס, כוס בשדה מי איכא? תרגמא רבי נתן בר אמי קמיה דרבא: בין הגיתות שנו.

We learned in the mishna: **One may not wait for nightfall at the edge of the Shabbat boundary in order to hire workers or bring produce** after Shabbat from the other side of the boundary. **Granted**, it makes sense that it is prohibited to wait at the Shabbat boundary **in order to hire workers**, as **one may not hire** workers under any circumstances on Shabbat. **But** if one waits there in order to **bring produce**, why is it prohibited? **Let us say that** since one would be permitted to bring produce at the edge of the boundary on Shabbat *ab initio* if there were partitions there, **one may wait for nightfall at the border to bring produce** even when there are not partitions present, in accordance with Rav Yehuda’s ruling mentioned above. The Gemara answers: **You find** a case where bringing produce is not permitted under any circumstances; **that is** when the produce is still **attached** to the ground, as there is no permitted way to pick produce on Shabbat.

The Gemara again questions Rav Yehuda’s ruling: **But Rabbi Oshaya taught: One may not wait for nightfall at the edge of the Shabbat boundary in order to bring in hay and straw** after Shabbat. **Granted**, Rabbi Oshaya taught that it is prohibited in the case of **straw**; **you find** the case of straw that is still **attached** to the ground, which it is clearly prohibited to pick under any circumstances. **But hay**, which has already been detached from the ground, **how do you find** a case in which it would be prohibited to carry it on Shabbat, even with partitions present? The Gemara answers: Rabbi Oshaya’s ruling referred to **rotten straw**, which may not be carried on Shabbat because it is considered set-aside [*muktze*].

Come and hear a proof with regard to this matter based on what was taught elsewhere: **One may wait for nightfall at the edge of the Shabbat boundary in order to attend to the needs of a bride or the needs of a corpse.**¹⁴ The Gemara infers from this that **for the needs of a bride or a corpse, yes**, one is permitted to wait for nightfall at the edge of the Shabbat boundary, but **for the needs of another person, no**, it is not permitted.

Granted, with regard to attending to the needs of **another** in a manner similar to attending to the needs of a **bride**, **you find** a case where it is prohibited to **cut him a myrtle branch**¹⁵ as was customarily done for brides because this is absolutely prohibited on Shabbat. **But** with regard to a **corpse**, **what is it** that one might do which would be prohibited to do for others? **To bring for it a coffin and shrouds. And it teaches that for a corpse, yes**, it is permitted, **but for another it is not**.

And why is it prohibited to do so for others? **Let us say that** since one would be permitted to bring these items on Shabbat **if there were partitions there**, **one may wait for nightfall at the edge of the border to bring** these items after Shabbat, in accordance with the ruling of Rav Yehuda. The Gemara answers: In the case of a **corpse**, **you also find** a case where bringing an item is prohibited under any circumstance, e.g., if one is waiting to **cut a garment** for the corpse to use as shrouds. There is no permissible way to do that on Shabbat. In that case, it would be prohibited to wait at the edge of the Shabbat boundary for this purpose if not for the fact that it is for the sake of a corpse, as it is a mitzva to attend to the needs of a corpse.

We learned in the mishna: **But one may wait for nightfall at the Shabbat boundary in order to guard one’s produce**. The Gemara asks: **And** is this the case **even if he has not recited the blessing of distinction** [*havdala*] marking the end of Shabbat? **But didn’t Rabbi Elazar ben Antigonos say in the name of Rabbi Eliezer ben Ya’akov that it is prohibited for a person to tend to his weekday affairs after Shabbat before he recites havdala?**¹⁶ **And if you say that this is referring to a case in which one already recited havdala during prayer**, as formulated by the Sages in the blessing of: Who graciously grants knowledge, **didn’t Rav Yehuda say that Shmuel said that one who recites havdala in prayer must still recite havdala over a cup of wine?** **And if you say that this is an instance in which one already recited havdala over a cup of wine, does one have a cup of wine in the field?** Rabbi Natan bar Ami explained this before Rava: **They taught this halakha** with regard to a unique case in which the edge of the Shabbat boundary was situated **among wine presses**, and one took wine from the wine press and recited *havdala* over it.

And we would cut wood – **ומסלתינן סילתי** – Some commentaries state that this phrase actually means that they arranged piles of wood (*ge'onim*).

אמר ליה רבי אבא אשי: במערבא אמרינן הכי: "המבדיל בין קודש לחול", ועבדינן צורכין. אמר רב אשי: כי הוינא בי רב כהנא הוה אמר "המבדיל בין קודש לחול" ומסלתינן סילתי.

Rabbi Abba said another explanation to Rav Ashi: In the West, in Eretz Yisrael, we say this at the end of Shabbat: **The One who distinguishes between the sacred and the mundane, and then we attend to our needs**, as reciting *havdala* over a cup is unnecessary in order to begin doing labor after Shabbat. It is therefore possible that the mishna addressed a similar case. Similarly, Rav Ashi said: When I was in the house of Rav Kahana, he would say: **The One who distinguishes between the sacred and the mundane, at the end of Shabbat, and we would cut woodⁿ to burn for light and heat.**

כלל אמר אבא שאול כל שאני וכו'. (איבעיא להו): אבא שאול אהייא? אלימא ארישא קאי "אין מחשיבין על התחום לשכור פועלים להביא פירות",

We learned in the mishna: Abba Shaul stated a general principle: With regard to **anything that I am permitted to discuss on Shabbat**, I am permitted to wait for nightfall at the edge of the Shabbat boundary for its sake. The Gemara raises a **dilemma**: To which part of the mishna did Abba Shaul's statement refer? If you say that it relates to the first clause of the mishna, which taught: **One may not wait for nightfall at the edge of the Shabbat boundary in order to hire workers or to bring produce,**

Perek XXIII

Daf 151 Amud a

האי "כל שאני וכאי באמירתו רשאי אני בחשיבתו"? "כל שאני וכאי באמירתו אני רשאי בחשיבתו" מיבעי ליה. אלא אסיפא קאי: "אכל מחשיך הוא לשמור ומביא פירות בידו", האי "כל שאני וכאי בחשיבתו רשאי אני באמירתו" מיבעי ליה.

this phrase: **Anything that I am permitted to discuss on Shabbat I am permitted to wait for nightfall for its sake**, is not appropriate. Rather, the mishna should have formulated the principle in the negative: With regard to **anything that I am not permitted to discuss on Shabbat, I am not permitted to wait for nightfall for its sake**, similar to the phraseology at the beginning of the mishna. Rather, it is referring to the latter clause of the mishna, which taught: **But he may wait for nightfall in order to guard his produce, and he may bring produce in his hand.** But even if this is correct, the phraseology does not fit. It should have said the opposite: **Anything for which I am permitted to wait for nightfall I am permitted to discuss.**

לעולם אסיפא קאי, ואבא שאול אהא קאי, דאמר רב יהודה אמר שמואל: מותר לאדם לומר לחבירו: שמור לי פירות שבתחומך, ואני אשמור לך פירות שבתחומי. וקאמר אבא שאול לתנא קמא: מי לא מודית דמותר אדם לומר לחבירו "שמור לי פירות שבתחומך ואני אשמור לך פירות שבתחומי"?

The Gemara explains: **Actually, it is referring to the latter clause of the mishna, and Abba Shaul relates to this statement that Rav Yehuda said that Shmuel said: It is permitted for a person to say to another on Shabbat: Guard my produce that is in your boundaryⁿ for me, and I will guard your produce in my boundary for you.** And this is what Abba Shaul said to the first *tanna*: **Do you not agree that it is permitted for a person to say to another: Guard my produce that is in your boundary for me, and I will guard your produce that is in my boundary for you?** It is in such a case that Abba Shaul permitted waiting for nightfall at the edge of the Shabbat boundary in order to guard produce.

ואימא: כל שאני וכאי באמירתו – רשאי אני להחשיך עליו, כלל לאתויי מאי? לאתויי הא, דתנו רבנן: אין מחשיבין על התחום להביא בהמה. היתה עומדת חוץ לתחום – קורא לה והיא באה. כלל אמר אבא שאול: כל שאני וכאי באמירתו – רשאי אני להחשיך עליו.

The Gemara still finds this difficult: **And say simply: With regard to anything that I am permitted to discuss, I am permitted to wait for nightfall for its sake.** When Abba Shaul stated that his ruling was a general principle, what did that come to include? The Gemara answers: It comes to include that which the Sages taught in the *Tosefta*: **One may not wait for nightfall at the Shabbat boundary in order to bring an animalⁿ immediately after Shabbat.** If the animal is standing right outside of the boundary,ⁿ one may call it so that it will come to him. Abba Shaul said a general principle: **With regard to anything that I am permitted to discussⁿ on Shabbat, I am permitted to wait for nightfall for its sake.** Here, since it is permitted to call to the animal, it is also permitted to wait for nightfall in order to retrieve it.

HALAKHA

שמור לי – Guard my produce that is in your boundary – **פירות שבתחומך**: One is permitted to say to another person on Shabbat: Guard my produce that is in your boundary, and I will guard your produce that is in my boundary. This ruling is in accordance with the ruling of the Gemara (*Shulhan Arukh, Oraḥ Hayyim 307:10*).

One may not wait for nightfall at the Shabbat boundary to bring in an animal, etc. – **אין מחשיבין על התחום להביא** – **בהמה וכו'**: See the *Halakha* note on 150a, p. 386.

היתה – If the animal is standing outside of the boundary – **עומדת חוץ לתחום**: If one's animal is standing outside of the Shabbat boundary, he may call it so it will return within the Shabbat boundary, in accordance with the ruling of the *baraita* (Rambam *Sefer Zemanim, Hilkhos Shabbat 24:3*; *Shulhan Arukh, Oraḥ Hayyim 306:2*).

כל שאני וכאי – Anything that I am permitted to discuss – **באמירתו**: One is permitted to wait for nightfall at the Shabbat boundary in order to attend to anything that one is permitted to speak about or ask for on Shabbat, in accordance with the ruling of Abba Shaul (Rambam *Sefer Zemanim, Hilkhos Shabbat 24:5*; *Shulhan Arukh, Oraḥ Hayyim 306:3, 307:8*).

NOTES

A specific monetary amount – סכום מקח: Some commentaries explain this to mean that one may not calculate the cost of this mitzva and then add the amount to previous debts that the person owes (*Ba'al Halakhot Gedolot*).

The dispute between Rav and Shmuel – מחלוקת רב ושמואל: The *ge'onim* explain this dispute in an entirely different manner and their version of the text of this dispute was also different from the one cited here. In their view, it is Rav who is lenient and permits the use of flutes if they were brought from a nearby location on Shabbat. Shmuel, on the other hand, is concerned that even if they appear to have been brought from a nearby location, it is possible that they were transported overnight from a more distant location and arrived right outside the city walls during the night. Therefore, one must confirm that the flutes were not brought from a distant location. According to this interpretation, the text as it appears in the Gemara, which is based on Rashi's version of the text, must be emended. In addition, the proof for Shmuel's opinion cited in the Gemara must be understood as being based on the opinion of the Rabbis, who dispute the view of Rabbi Yehuda and rule that even if there is an important person in the city, the *halakha* is stringent, and one may not bathe in the heated water immediately after Shabbat (see Ramban, Rashba, and Ran).

BACKGROUND

Flutes – חלילין: In talmudic times, it was customary for Jews and gentiles to play musical instruments during a funeral procession to intensify the feeling of mourning. It is apparent from the discussion in the Gemara that flutes were an essential component in preparing to bury the dead in an honorable fashion.



Ancient relief of a flute player at a funeral

ומחשיבין לפקח על עסקי בלה ועל עסקי המת להביא לו ארון ותכריכים. ואומרים לו: לך למקום פלוני, ואם לא מצאת במקום פלוני – הביא ממקום פלוני. לא מצאת במקום פלוני – הביא במקום פלוני. רבי יוסי ברבי יהודה אומר: ובלבד שלא יזכיר לו סכום מקח.

מתני' מחשיבין על התחום לפקח על עסקי בלה ועל עסקי המת להביא לו ארון ותכריכים. גוי שהביא חלילין בשבת – לא יספוד בהן ישראל, אלא אם כן באו ממקום קרוב. עשו לו ארון וחפרו לו קבר – יקבר בו ישראל. ואם בשביל ישראל – לא יקבר בו עולמית.

גמ' מאי במקום קרוב? רב אמר: במקום קרוב ממנו, ושמואל אמר: חיישינן שמא חוץ לחומה לנו.

דיקא מתניתין בוותיה דשמואל, דקתני "עשה לו ארון וחפר לו קבר יקבר בו ישראל" אלמא: מספיקא שרי, הכא נמי – מספיקא שרי.

The Sages also said: And all agree that one may wait for nightfall to attend to the needs of a bride and the needs of a corpse, such as to bring it a coffin and shrouds. And one may say to him, to one's messenger, on Shabbat: Go to such and such place to buy them, and if you do not find them in that place, bring them from such and such a place. Similarly, one may instruct one's messenger: If you do not find them for one hundred dinar, buy them for two hundred. However, Rabbi Yosei, son of Rabbi Yehuda, says: One is permitted to give instructions to a messenger on Shabbat, provided one does not mention to him a specific monetary amountⁿ to spend on the transaction.

MISHNA One may wait for nightfall at the Shabbat boundary to attend to the needs of a bride and the needs of a corpse, such as to bring him a coffin and shrouds. If a gentile brought flutes^{HB} on Shabbat in order to play music during the eulogy and funeral procession, a Jew may not eulogize with them as accompaniment, unless they were brought from a nearby location within the Shabbat boundary and transporting them did not include any violation of *halakha*. If gentiles made someone a coffin and dug him a grave^H on Shabbat, and they then changed their minds and decided to give it to someone else, a Jew may be buried in it. However, if it was initially intended for a Jew, a Jew may never be buried in it.

GEMARA The mishna taught that if a gentile brought something from a nearby location on Shabbat, a Jew is permitted to make use of it. The Gemara asks: What exactly is considered to be from a nearby location? Rav said: Something that is from a location that is actually nearby, meaning that we know with certainty where the object was brought from. And Shmuel said: Even if we do not know exactly where it was brought from, we are concerned that it may have stayed overnight just outside the city wall,^H which is still within the Shabbat boundary, and no prohibition was violated for the sake of the object. Therefore, it would only be prohibited to use such an object if it was known with certainty that it had been brought from outside the Shabbat boundary. Thus, Rav and Shmuel disagree^N with regard to a situation in which we do not know where the object was brought from on Shabbat.

The language of the mishna is precise according to Shmuel's opinion, as it teaches: If a gentile made someone a coffin and dug him a grave on Shabbat and then changed his mind and decided to give it to someone else, a Jew may be buried in it. Consequently, we can derive that if it is uncertain whether the coffin and grave were made for a Jew, it is permitted. Here, too, in a case in which a gentile brings flutes, if it is uncertain whether their transportation was in violation of *halakha*, it is permitted.

HALAKHA

If a gentile brought flutes – גוי שהביא חלילין: If a gentile brought flutes or anything else to be used for a Jewish burial on Shabbat, one must wait the amount of time that it takes to bring these objects from a nearby location before using them after Shabbat. If the location from which the objects were brought is known, one must wait the amount of time it takes to bring them from that specific place (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 6:5; *Shulhan Arukh*, *Orah Hayyim* 325:15).

Gentiles made someone a coffin and dug him a grave – עשו לו ארון וחפרו לו קבר: If a gentile dug a grave or made a coffin for another gentile on Shabbat, the coffin and grave may be used for a Jewish burial. However, if they were made for a Jew, that Jew may never be buried in them. Nevertheless, they may be used for burying another Jew. This law applies

only when Shabbat was publicly desecrated to make the coffin and dig the grave. However, if they were made in private, they may be used for the Jew. In this case, it is necessary to wait after Shabbat the amount of time it would take to make them (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 24:5; *Shulhan Arukh*, *Orah Hayyim* 325:14).

We are concerned that it may have stayed overnight outside the wall – חיישינן שמא חוץ לחומה לנו: If it was uncertain from where a gentile brought flutes or other objects for the burial, it is assumed that they were brought from outside of the Shabbat boundary. Therefore, before using them after Shabbat, a Jew must wait the amount of time it would take to bring them from outside of the boundary (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 24:6; *Shulhan Arukh*, *Orah Hayyim* 325:16).

Water jug [*kumkum*] – קומקום: From the Greek *κουκουμιον*, *kukumion*, and the Latin *cucuma*, which refer to a vessel similar to an earthenware jug that is used primarily to hold water.

NOTES

בעומד באסרטיא – A grave located in a public street – The *ge'onim* explain that the issue being discussed is not the permissibility of burying a Jew in the grave. Rather, the issue pertains to the case mentioned at the end of the mishna: If the grave was dug for a Jew, it may never be used. Why is it not possible to wait after Shabbat for the amount of time it would take to dig the grave? The Gemara answers that it is speaking about a grave located on a public street. Therefore, it is obvious for whom it was intended. The Gemara then asks about the case of the coffin: When is it ever obvious for whom a coffin is intended? The answer is that the coffin was placed upon the grave so that everyone knew that it was not intended for the burial of a Jew.

HALAKHA

One may perform all of the needs of the dead on Shabbat – **עושין כל צרכי המת** – One may attend to a corpse and do whatever is necessary for its honor on Shabbat, such as smearing it with oil or rinsing it. Similarly, one may secure its jaw so that its mouth will not open further, but one may not move it back to its original position. It is prohibited to move any of the corpse's limbs due to the prohibition of set-aside objects, as explained in the mishna (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 26:20; *Shulhan Arukh*, *Orah Hayyim* 311:7).

ותנא בוויה דרב: עיר שישאל וגו' דרים בה, והיתה בה מרחץ המרחצת בשבת. אם רוב גוים – לערב ורחץ בה מיד, אם רוב ישראל – ימתין עד כדי שיחמו חמין. מחצה על מחצה – (אסור, וימתין) עד כדי שיחמו חמין. רבי יהודה אומר: באמבטי קטנה, אם יש בה רשות – ורחץ בה מיד.

And a *baraita* was taught in accordance with the opinion of Rav: In the case of a city in which both Jews and gentiles live and in which there is a bathhouse that functions on Shabbat, if there is a majority of gentiles in the city, the *halakha* is that in the evening, after Shabbat, a Jew may bathe in it immediately. If there is a majority of Jews in the city, a Jew must wait until the amount of time necessary to heat up water after Shabbat has passed, so that one will not benefit from the fact that the water was heated on Shabbat. If the population of the city is half Jewish and half gentile, it is prohibited to bathe there immediately after Shabbat, and one must wait until the amount of time necessary to heat up water after Shabbat has passed. Rabbi Yehuda says: In the case of a small bath, if there is a ruling power in the city, a Jew may bathe in it immediately after Shabbat.

מאי "רשות"? אמר רב יהודה אמר רב יצחק בריה דרב יהודה: אם יש בה אדם חשוב, שיש לו עשרה עבדים שמחממין לו עשרה קומקומין בבת אחת באמבטי קטנה – מותר לרחוץ בה מיד.

The Gemara asks: What is the meaning the phrase: A ruling power? Rav Yehuda said that Rav Yitzhak, son of Rav Yehuda, said: It means that if there is an important person in the city who has ten slaves who heat ten water jugs [*kumkumin*]¹ for him at once in a small bath, it is permitted for a Jew to bathe in it immediately after Shabbat. This is because this bath may have been heated immediately after Shabbat for the use of this important person, rather than on Shabbat itself.

"עשו לו ארון וחפרו לו קבר וכו'". אמאי? הלא נמי ימתין בכדי שיעשו. אמר עולא: בעומד באסרטיא. תינתן קבר, ארון מאי איכא למימר? אמר רבי אבהו: במוטל על קברו.

The mishna taught that if gentiles made someone a coffin and dug him a grave and then changed their minds and decided to make it available to someone else, it is permitted for a Jew to be buried in it. The Gemara asks: Why? Here, too, one should at the very least have to wait after Shabbat the amount of time necessary for them to do the work after Shabbat. The Gemara answers: Ulla said: The mishna is addressing a case in which the grave is located in a public street.^N This indicates that it was intended for a gentile because Jews are not usually buried there. The Gemara asks further: Granted, in the case of a grave, the *halakha* is understandable. However, in the case of a coffin, what is there to say? Why isn't a Jew required to wait after Shabbat for the amount of time it would take to make the coffin? Rabbi Abbahu said: The mishna addresses a case in which the coffin was already placed over the grave of a gentile, which proves that it was intended for him.

מתני' עושין כל צרכי המת: סבין ומדיחין אותו, ובלבד שלא יזין בו אבר. שומטין את הכר מתחתיו, ומטילין אותו על החול בשביל

MISHNA One may perform all of the needs of the dead on Shabbat.^H One may smear oil on the body and rinse it with water, and all of this is permitted provided that one does not move any of its limbs, which would constitute a violation of the laws of set-aside objects. When necessary, one may also remove a pillow from beneath it and thereby place it on cold sand in order

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שימתין. קושרין את הלחי, לא שיעלה – אלא שלא יוסף. וכן קורה שגשברה – סומקין אותה בספסל או בארוכות המטה, לא שתעלה אלא שלא תוסף.

to delay its decomposition. Similarly, one may tie the jaw of a corpse that is in the process of opening. One may not move it directly so that it will rise back to its original position, but so that it will not continue to open. And similarly, if one has a roof beam that has broken on Shabbat, one may support it with a bench or with long poles from a bed. One may not move it so that the beam will rise back to its original place, but so that it will not continue to fall.

גמ' והאמר רב יהודה אמר שמואל: מעשה בתלמידו של רבי מאיר שנכנס אחריו לבית המרחץ, ביקש להדיח קרקע, אמר לו: אין מדיחין. לסוך קרקע – אמר לו: אין סוכין. קרקע בקרקע – מחלפא, מת בקרקע לא מיחלף.

”כל” לאתווי מאי? לאתווי הא דתנו רבנן: מביאין בלי מיקר וכלי מתכות ומניחין על כריסו, כדי שלא תפוח. ופוקקין את נקביו כדי שלא תיכנס בהן הרוח.

ואף שלמה אמר בחכמתו “עד שלא ירתק חבל הכסף” – זה חוט השדרה, “ותרוך גולת הזהב” – זה אמה, “ותשבר כד על המבוע” – זה הכרס, “ויערוץ הגלגל אל הבור” – זה פרש.

וכן הוא אומר “ווריתי פרש על פניכם פרש חגיכם”. אמר רב הונא ואמרי לה אמר רב חגא: אלו בני אדם שמניחין דברי תורה, ועושין כל ימיהם בחגים. אמר רבי לוי אמר רב פפי אמר רבי יהושע: לאחר שלשה ימים כריסו נבקעת ונופלת לו על פניו, ואומרת לו “טול מה שנתת בי”.

מתני' אין מעצמין את המת בשבת, ולא בחול עם יציאת נפש. והמעצים עם יציאת הנפש – הרי זה שופך דמים.

GEMARA The Gemara questions the mishna's lenient ruling with regard to smearing oil on a corpse: **But didn't Rav Yehuda say that Shmuel said: There was an incident with a student of Rabbi Meir who followed him into the bathhouse on Shabbat. The student wanted to rinse the ground. Rabbi Meir said to him: One may not rinse on Shabbat. The student wanted to smear the ground with oil. Rabbi Meir said to him: One may not smear on Shabbat.** This indicates that it is prohibited to rinse or smear anything that may not be moved on Shabbat. The Gemara responds: **The ground in one place can be confused with the ground in another place, and the Sages therefore prohibited these activities even on a tiled floor, such as that of a bathhouse, due to a concern that one may come to do so on a dirt floor and smooth it out. However, a corpse cannot be confused with the ground, and it is therefore permitted to rinse a corpse and smear it with oil.**

We learned in the mishna that one may attend to all the needs of the dead on Shabbat. The Gemara asks: **What does the word all include** in the mishna's ruling that one may have thought is not included? The Gemara answers: It is meant to include that which the Sages taught: **One may bring cold vessels and metal vessels and place them on the corpse's stomach so that it does not swell. And one may seal up its orifices so that air will not enter them and cause swelling.**

And King Solomon also said in his wisdom with regard to old age and death: “Before the silver cord is snapped asunder, and the golden bowl is shattered, and the pitcher is broken at the fountain, and the wheel falls, shattered, into the pit” (Ecclesiastes 12:6), which the Gemara explains as follows: **“Before the silver cord is snapped asunder”; this is a reference to the spinal cord. “And the golden bowl [gullat] is shattered”; this is a reference to the member, which is like a spring of water [gulla]. “And the pitcher is broken at the fountain”; this is a reference to the stomach, which looks like a pitcher that swells and ruptures. “And the wheel [galgal] falls, shattered, into the pit”; this is a reference to excrement [gelalim].**

And similarly, it says in the verse: **“And I will spread dung upon your faces, even the dung of your Festival offerings”** (Malachi 2:3). Rav Huna said, and some say that it was Rav Haggai who said: This verse is referring to those people who neglect the words of the Torah and turn all of their days into Festivals. Rabbi Levi said that Rav Pappi said that Rabbi Yehoshua said: **Three days after death, the stomach of the dead⁸ bursts and falls onto his face and says to him: Take what you have put inside me.**

MISHNA One may not shut the eyes of the dead⁸ on Shabbat because the body is set-aside. And one may not shut the eyes even on a week-day while the soul departs. One must wait until the person has died. And one who shuts the eyes while the soul departs is a murderer because he has hastened the person's death.¹⁴

BACKGROUND

The stomach of the dead – כריסו של אדם: After a person dies, the body begins to decompose, which generates a large amount of gas that causes the stomach to swell and eventually to burst from the pressure.

The eyes of the dead – עיני המת: If the eyes of a dead person are not closed immediately after death, it will be very difficult to close them due to rigor mortis, the bodily stiffness that follows death.

HALAKHA

One who shuts the eyes while the soul departs – יציאת הנפש: One may not shut the eyes of a person who is dying, nor may one perform any action

that will hasten a person's death by even a moment (Rambam *Sefer Shofetim*, *Hilkhot Evel* 4:5; *Shulhan Arukh*, *Yoreh De'a* 339:1).

We hold – נְקִיטִין: Rashi explains that this term refers to an oral tradition passed down from previous generations. The expression means that the tradition received from our forefathers is cherished and accepted.

It is prohibited to sleep alone in a house – אָסוּר: Some commentaries explain that this prohibition is based on the principle that one may not place oneself in a dangerous situation. Perhaps one who is alone will be gripped with fear and will be traumatized (*Me'iri*).

And you are still under your own control – וְעוֹדָךְ: The commentaries state that this is referring to the period in one's life prior to old age, when one still exercises control over all of his belongings and assets (Maharsha, Rabbi Yoshiya Pinto).

HALAKHA

It is prohibited to sleep alone in a house – אָסוּר: One should not sleep alone in a house (*Sefer Mitzvot Gedolot*, positive mitzvot 79).

גמ' תנו רבנן: המעצמו עם יציאת הנפש – הרי זה שופך דמים. משל לנר שפכה והולכת, אדם מניח מצבועו עליה – מיד כבתה. תניא, רבן שמעון בן גמליאל אומר: הרוצה שיתעצמו עיניו של מת – נופח לו יין בחוטמו, ונותן שמן בין ריסי עיניו, ואוחז בשני גודלי רגליו – והן מתעצמן מאליהן.

תניא, רבן שמעון בן גמליאל אומר: תינוק בן יומו חי – מחללין עליו את השבת, דוד מלך ישראל מת – אין מחללין עליו את השבת. תינוק בן יומו חי מחללין עליו את השבת, אמרה תורה: חלל עליו שבת אחד, כדי שישמור שבתות הרבה. דוד מלך ישראל מת – אין מחללין עליו – כיון שמת אדם, בטל מן המצוות. והיינו דאמר רבי יוחנן: "במתים חפשי" כיון שמת אדם – נעשה חפשי מן המצוות.

ותניא, רבי שמעון בן אלעזר אומר: תינוק בן יומו חי – אין צריך לשומרו מן החולדה ומן העכברים, אבל עוג מלך הבשן מת – צריך לשומרו מן החולדה ומן העכברים, שנאמר "ומוראכם וחתכם יהיה", כל זמן שאדם חי – אימתו מוטלת על הבריות, כיון שמת – בטלה אימתו.

אמר רבי פפא: נקיטין, אריה אבי תרי – לא נפיל. הא קא חזינן דנפיל. ההוא כדרמי בר אבא. דאמר רמי בר אבא: אין חיה שולטת באדם עד שנדמה לו כבהמה; שנאמר "אדם ביקר בל ילין נמשל כבהמות נדמו". אמר רבי חנינא: אסור לישן בבית יחידי, וכל הישן בבית יחידי אחרותו לילית.

ותניא, רבי שמעון בן אלעזר אומר: עשה עד שאאתה מוצא ומצוי לך ועודך בידיך, ואף שלמה אמר בחכמתו "וזכור את בוראריך בימי בחורותיך עד [אשר] (ש) לא יבאו ימי הרעה" – אלו ימי הזקנה והגיעו שנים אשר תאמר אין לי בהם חפץ" – אלו ימי המשיח, שאין בהם לא זכות ולא חובה.

ופליגא דשמואל, דאמר שמואל: אין בין העולם הזה לימות המשיח אלא שינוי מלכות בלבד, שנאמר "כי לא יחדל אביון מקרב הארץ".

GEMARA The Sages taught: One who shuts a person's eyes while the soul departs is a murderer. This is analogous to a lamp that is gradually becoming extinguished but could continue to burn a little longer. If a person places his finger on it, it is immediately extinguished. It was taught in a *baraita* that Rabban Shimon ben Gamliel says: One who wants the eyes of a corpse to close should blow wine up its nose, and place oil between its eyelids, and grab hold of its two big toes, and its eyes will shut by themselves.

Incidental to the Gemara's discussion of corpses, it cites that which was taught in a *baraita*: Rabban Shimon ben Gamliel says: For a living day-old baby, one desecrates Shabbat to save his life. Yet for the deceased David, king of Israel, one does not desecrate Shabbat. For a day-old baby we desecrate Shabbat because the Torah says: Desecrate one Shabbat for him so that he can observe many *Shabbatot*. But for the deceased David, king of Israel, one does not desecrate Shabbat, as once a person dies he is idle from mitzvot. And this is what Rabbi Yohanan said with regard to the verse: "Set apart among the dead [*bametim hofshi*]", like the slain that lie in the grave, whom You remember no more" (Psalms 88:6). Once a person dies, he becomes free [*hofshi*] from the mitzvot.

And it was also taught in a *baraita* that Rabbi Shimon ben Elazar said: It is not necessary to protect a live day-old baby from a weasel or from mice, for they run away from the baby. But if Og, the king of Bashan, is dead, it is necessary to protect even him from a weasel or from mice, as it is stated: "And the fear of you and the dread of you [*hittekhem*] shall be upon every beast of the earth, and upon every bird of the heavens" (Genesis 9:2). The Gemara explains: As long as a person is alive [*hai*], he is feared by the animals. Once he dies, he is no longer feared.

Rav Pappa said: We hold^N that a lion does not pounce upon two people. The Gemara challenges this: But how can that be? We see that it does pounce upon two people. The Gemara answers: That statement of Rav Pappa must be in accordance with that which Rami bar Abba said: An animal does not overpower a person until he appears to it as an animal, as it is stated: "But man does not abide in honor, he is like the beasts that perish" (Psalms 49:13). However, animals do not attack people who are human in their spiritual character. In a similar vein, Rabbi Hanina said: It is prohibited to sleep alone in a house,^{NH} and anyone who sleeps alone in a house will be seized by the evil spirit Lilith.

It was also taught in a *baraita* with regard to the appreciation of life: Rabbi Shimon ben Elazar says: Perform mitzvot while you still find opportunities, and you have the financial means, and you are still under your own control.^N And King Solomon also said, in his wisdom: "And remember your Creator in the days of your youth, before the evil days come and the years arrive when you will say: I have no desire for them" (Ecclesiastes 12:1). Rabbi Shimon ben Elazar explains: "The evil days"; these are the days of old age. "And the years arrive when you will say: I have no desire for them"; these are the days of Messiah, in which there is neither merit nor liability.

The Gemara comments that this explanation disagrees with the view of Shmuel, for Shmuel said: There is no difference between this world and the days of Messiah except for subjugation to foreign kingdoms alone, from which we will be released in the Messianic era, as it is stated: "For the poor will never cease from the land, therefore I command you, saying: You shall surely open your hand to your brother, to your poor and your needy in your land." (Deuteronomy 15:11). This indicates that the ways of the world, including the existence of wealthy and poor socioeconomic strata, will continue forever.

He will never go around asking for charity at people's doors – אֶהְדוּרִי אֶפְתָּחָא לֹא מִיְהוּדֵי – The rationale for this statement is that people will take special care of a Torah scholar and make sure that he is not disgraced in this way. An alternative explanation is that a scholar will conduct himself in a frugal and self-disciplined manner and will not allow himself to reach a situation that would necessitate going door-to-door asking for charity (Maharsha).

The sun...the forehead – הַשֶּׁמֶשׁ...פְּדֻחָה: In his commentary to Ecclesiastes, Rashi explains that the forehead is compared to the sun because in youth one's forehead is smooth and shiny, and its light is later dimmed by the wrinkles of old age.

The stars, these are the cheeks – הַכּוֹכָבִים אֵלֵּי: In his commentary on Ecclesiastes, Rashi explains that this refers to the jawbone, which protrudes and is visible from under the hair of one's beard that covers his cheeks.

LANGUAGE

Weaver's pin [avisana degirda'ei] – אֲבִיסָנָא: It seems that the correct version of this phrase is that of the *Arukh*, *akhsena degarda'ei*. Its origin is the Greek ἄξων, *axon*, which refers to a weaver's needle.

תִּנְיָא, רַבִּי אֶלְעָזָר הַקָּפָר אָמַר: לְעוֹלָם יִבְקֹשׁ אָדָם רַחֲמִים עַל מַדָּה זוֹ, שְׂאָם הוּא לֹא בָא – בָּא בְּנוֹ, וְאָם בְּנוֹ לֹא בָא – בֶּן בְּנוֹ בָּא, שְׂנָאֵמֵר "כִּי בִגְלַל הַדְּבָר הַזֶּה", תִּנְיָא דְּבִי רַבִּי יִשְׁמַעְיָאֵל: גִּלְגַּל הוּא שְׁחוּזָא בְּעוֹלָם. אָמַר רַב יוֹסֵף: נִקְיִטִין, הָאִי צוֹרֵבָא מִרְבָּנָא לֹא מִיעָנִי – וְהָאִי קָא חוֹזִין דְּמִיעָנִי. אִם אֵיתָא דְּמִיעָנִי, אֶהְדוּרִי אֶפְתָּחָא לֹא מִיְהוּדֵי.

אָמַר לָהּ רַבִּי חִיָּיא לְדְבִיתָהּ: כִּי אֲתִי עֲנֵנָא – אֶקְדִּימִי לֵיהּ רִיפְתָּא. כִּי הֵיכִי דִלְקִדְמוּ לְבִנְךָ. אָמְרָה לֵיהּ: מִילֵּט קָא לִיטֵת לְהוּ? אָמַר לָהּ: קָא קָא כְּתִיב "כִּי בִגְלַל הַדְּבָר הַזֶּה", וְתִנְיָא דְּבִי רַבִּי יִשְׁמַעְיָאֵל: גִּלְגַּל הוּא שְׁחוּזָא בְּעוֹלָם, תִּנְיָא רַבִּי גְמַלְיָאֵל בְּרַבִּי אֲמֵר: וְנִתְּנָא לְךָ רַחֲמִים וְרַחֲמִיךָ וְהוֹרֵבְךָ" כָּל מַרְחִים עַל הַבְּרִיּוֹת – מַרְחִמִין עָלָיו מִן הַשָּׁמַיִם, וְכָל שְׂאִינֵי מַרְחִים עַל הַבְּרִיּוֹת – אִין מַרְחִמִין עָלָיו מִן הַשָּׁמַיִם.

"עַד אֲשֶׁר לֹא תִחַשֵּׁד הַשֶּׁמֶשׁ וְהָאוֹר" – זוֹ פְּדֻחָה וְהַחֹטֶם, "וְהַיָּרֵחַ" – זוֹ נִשְׁמָה, "וְהַכּוֹכָבִים" – אֵלֵּי הַלְּסָתוֹת, "וְשָׁבוּ הָעָבִים אַחֵר הַגֶּשֶׁם" – זוֹ מְאוֹר עֵינָיו שֶׁל אָדָם, שֶׁהוֹלֵךְ אַחֵר הַבָּבִי. אָמַר שְׂמוּאֵל: הָאִי דְּמַעְתָּא, עַד אֲרִבְעִין שָׁנִין – הִדְרָא, מִכָּאן וְאֵילָךְ – לֹא הִדְרָא.

וְאָמַר רַב נַחֲמָן: הָאִי כּוּחָלָא, עַד אֲרִבְעִין שָׁנִין – מְרוּוֹת, מִכָּאן וְאֵילָךְ – אֶפִּילוּ מְלִיא כְּאֲבִיסָנָא דְּגִירְדָּאִי – אֲוִקוּמִי מוֹקִים, אֲרוּחִי לֹא מְרוּוֹת. מֵאִי קָא מְשַׁמַּע לָן – דְּכִמְה דְּאֵלִים מְבוּחָלָא טַפִּי מִעָלִי.

רַבִּי חֲנִינָא שְׂכִיבָא לֵיהּ בְּרִיתָהּ, לֹא הוּא קָא בָּבִי עָלָה. אָמְרָה לֵיהּ דְּבִיתָהּ: תִּרְנְגוּלְתָּא אֶפִּיקֵת מִבֵּיתְךָ? אָמַר לָהּ: תִּרְתִּי, תִּכְלָא וְעִיּוּרָא? סִבַּר לָהּ כִּי הָא דְּאָמַר רַבִּי יוֹחָנָן מְשׁוּם רַבִּי יוֹסִי בֶּן קֶצְרֵתָה: שֵׁשׁ דְּמַעוֹת הֵן, שְׁלֹשׁ יְפוֹת וְשְׁלֹשׁ רָעוֹת. שְׁלֹשׁ עֲשָׂן וְשְׁלֹשׁ בָּבִי

It was taught in a *baraita* that Rabbi Elazar HaKappar says: A person should always request divine mercy with regard to this condition of poverty, for if he does not come to a state of poverty, his son will, and if his son does not come to such a state his grandson will, as it is stated: "You shall surely give him and your heart shall not be grieved when you give to him, for due to this thing [*biglal hadavar hazeh*] the Lord your God will bless you in all your work and in all that you put your hand toward" (Deuteronomy 15:10). With regard to this verse, the *tanna* from the school of Rabbi Yishmael taught: Due to [*biglal*] this thing means that it is a wheel [*galgal*] that turns in the world, upon which people continuously rise and fall. Rav Yosef said: We hold that a Torah scholar will not become poor. The Gemara challenges this statement: But we see that they do become poor. The Gemara answers: Even so, if there is a Torah scholar who becomes poor, he will still never have to go around asking for charity at people's doors.^N

In a similar vein, the Gemara relates that Rabbi Hiyya said to his wife: When a poor person comes to the house, be quick to give him bread so that they will be quick to give bread to your children. She said to him: Are you cursing them, your children? He said to her: It is a verse that is written, as it says: "Due to this thing," and the Sages expounded that it is a wheel that continuously turns in the world. Similarly, it was taught in a *baraita* that Rabbi Gamliel, son of Rabbi Yehuda HaNasi, says: The verse that states: "And He will show you mercy and have compassion on you and multiply you" (Deuteronomy 13:18) teaches us that anyone who has compassion for God's creatures^H will receive compassion from Heaven, and anyone who does not have compassion for God's creatures will not receive compassion from Heaven.

The Gemara returns to verses from Ecclesiastes that relate to death and old age. It is written: "Before the sun and the light and the moon and the stars are darkened, and the clouds return after the rain" (Ecclesiastes 12:2). The Sages taught: "The sun and the light"; this is referring to the forehead^N and the nose which stick out from a person's face. "And the moon"; this is referring to the soul, which shines within a person. "And the stars"; these are the cheeks.^N "And the clouds return after the rain"; this is the light of a person's eyes, which goes and dwindles after one cries as if it were covered by clouds. Shmuel said: With regard to the tear that a person cries, until one reaches the age of forty years, one's vision returns and is not harmed. From here on, once a person reaches the age of forty, it does not return, and every time a person cries his vision is weakened.

And similarly, Rav Nahman said: With regard to medicinal eye shadow, until one reaches the age of forty years, it enhances his eyesight. From here and on, even if one fills it as thick as a weaver's pin [*avisana degirda'ei*],^L it will maintain his eyesight but it will not enhance it. The Gemara asks about this: What is he teaching us with the example of a weaver's pin? The Gemara answers: Generally speaking, the more eye shadow one applies, the more beneficial it is.

The Gemara relates a story: When Rabbi Hanina's daughter died, he did not cry over her. His wife said to him: Have you merely let a chicken out of your house, that you do not show any signs of sorrow? He said to her: If I cry, I will suffer twice, from bereavement and from blindness. The Gemara explains: He held in accordance with the statement that Rabbi Yohanan said in the name of Rabbi Yosei ben Ketzarta: There are six types of tears, three of which are good for the eyes and three of which are bad. Tears that come from smoke, and from crying out of sorrow,

HALAKHA

הַמְּרַחֵם עַל – הַמְּרַחֵם עַל: Anyone who has compassion for God's creatures – הַבְּרִיּוֹת: God acts with compassion toward one who has compassion on the poor. One should constantly be aware that he is seeking sustenance from God, and just as he hopes that God will answer

his own prayers, he should be receptive to the requests of the poor (*Tur*). It is therefore customary to give charity before prayer (Rambam *Sefer Zera'im*, *Hilkhot Mattenot Aniyyim* 10:2; *Shulhan Arukh*, *Yoreh De'a* 247:3).

וְשֵׁל בֵּית הַכֶּסֶם – רְעוּת, שֶׁל סֶם וְשֵׁל שְׁחוֹק
וְשֵׁל פִּירוּת – יִפּוּת.

“בַּיּוֹם שֶׁיִּזְוְעוּ שׁוֹמְרֵי הַבַּיִת וְהַתְּעוּתוֹ וְגו’.”
“בַּיּוֹם שֶׁיִּזְוְעוּ שׁוֹמְרֵי הַבַּיִת” – אֵלּוּ הַכֶּסֶּלִים
וְהַחֲלָעוֹת, “וְהַתְּעוּתוֹ אֲנָשִׁי הַחֵיִל” – אֵלּוּ
שׁוֹקִים, “וּבְטָלוּ הַטּוֹחֲנוֹת” – אֵלּוּ שִׁינַיִם,
“וְחִשְׁבוּ הָרְאוֹת בְּאַרְבּוּבוֹת” – אֵלּוּ עֵינַיִם.

אָמַר לִיהוֹשֻׁעַ קִיסָר לְרַבִּי יְהוֹשֻׁעַ בֶּן חֲנִנְיָה: מֵאֵי
טַעֲמָא לָא אֲתִית לְבִי אֲבִידָן? אָמַר לִיהוֹשֻׁעַ:
טוֹר תִּלְגַּי שְׁחֲרוּנִי גְלִידָן, בְּלִבְהִי לָא נִבְחִין,
טַחְנוֹנִה לָא טוֹחֲנִין. בֵּי רַב אָמַר: אֲדִלָּא
אֲבִידָנָא בְּחִישָׁנָא.

תַּנְיָא, רַבִּי יוֹסִי בַר קִיסְמָא אָמַר: טַבָּא תְּרִי
מִתְלָת, וְוִי לָהּ לַחֲדָא דְאִילָא וְלָא אֲתִיָּא.
מֵאֵי הָיָא? אָמַר רַב חֲסִדָּא: יִנְקוּתָא. בֵּי אֲתָא
רַב דִּימִי אָמַר: יִנְקוּתָא – בְּלִילִיא דְּוִוְרָדָא,
סְבוּתָא – בְּלִילִיא דְּחִילָפָא. תַּנְיָא מִשְׁמִיָּה
דְּרַבִּי מֵאִיר: דּוֹק בְּכַכִּי וְתִשְׁכַּח בְּנִיגְרִי,
שְׁנָאֵמֶר “וְנִשְׁבַּע לָחֶם וְנִהְיָה טוֹבִים וְרַעָה
לָא רָאִינוּ.” אָמַר לִיהוֹשֻׁעַ שְׁמוּאֵל לְרַב יְהוֹדָה:
שִׁינָא, שְׂרִי שְׁקִיד וְעִיל לַחֲמֶךְ. עַד אֲרַבְעִין
שָׁנִין – מִכְלָא מַעֲלִי, מִכָּאן וְאִילָךְ – מִשְׁתִּי
מַעֲלִי.

אָמַר לִיהוֹשֻׁעַ הָיָא גּוֹזָא לְרַבִּי יְהוֹשֻׁעַ בֶּן
קִרְחָא: מַהֲכָא לְקִרְחִינָא כְּמָה הָיָא? אָמַר
לִיהוֹשֻׁעַ: כְּמַהֲכָא לְגּוֹזִינָא. אָמַר לִיהוֹשֻׁעַ:
בְּרַחֲמֵי קִרְחָא בְּאַרְבַּעַה. אָמַר לִיהוֹשֻׁעַ: עֵיקָרָא
שְׁלִיפָא בְּתַמְנָא.

חֲזִייה דְּלֵא סִימָא מִסְּמָנָא, אָמַר לִיהוֹשֻׁעַ: דְּעֵל
סִימָא – מִלְּךְ, דְּעֵל חֲמֹר – בֶּן חֲרוּדִין וְדִמְנַעֲלִי
בְּרַעְלוּהִי – בֶּרֶךְ אִינִישׁ, דְּלֵא הָא וְלֵא הָא –
דְּחִפִּיר וְקִבִּיר טַב מִינֵיהּ. אָמַר לִיהוֹשֻׁעַ: גּוֹזָא
גּוֹזָא, תְּלַת אֲמֹרֹת לִי תְּלַת שְׁמַעְתָּ; הֲדַרְתָּ
פְּנִים – זָקֵן, שְׁמַחַת לֵב – אִשָּׁה, “נִחְלַת
ה’ – בָּנִים” – בָּרוּךְ הַמָּקוֹם שֶׁמְנַעַךְ מִכּוֹלֵם.
אָמַר לִיהוֹשֻׁעַ: קִרְחָא מִצְוִינָא. אָמַר לִיהוֹשֻׁעַ: עֵיקָרָא
שְׁלִיפָא תּוֹכַחָה.

and from pain in the bathroom are bad for the eyes. Tears that
come from medicinal drugs, and from laughter, and from sharp
produce are good for the eyes.

The Gemara continues to interpret verses from the Book of Ecclesiastes. The verse states: “On the day when the keepers of the house shall tremble, and the strong men shall bow themselves, and the grinders cease because they are few, and those that look out the windows shall be dimmed” (Ecclesiastes 12:3). “On the day when the keepers of the house shall tremble”; this is referring to the flanks and ribs that surround and protect a person’s internal organs. “And the strong men shall bow themselves”; these are the thighs, which support a person’s strength. “And the grinders cease”; these are the teeth, which decay and fall out. “And those that look out the windows shall be dimmed”; these are the eyes, which become dimmer.

The Gemara relates: The Roman emperor said to Rabbi Yehoshua ben Hanania: What is the reason you did not come to the House of Avidan? This was a place in which dialogues and debates were conducted. Rabbi Yehoshua ben Hanania said to him enigmatically: The snowy mountain is surrounded with ice, meaning that his hair had turned white; his dogs do not bark, meaning that his voice could no longer be heard; his grinders have ceased grinding, meaning that his teeth had fallen out. In the school of Rav they say that he added: I am searching for that which I have not lost, because an old man walks bent over and appears to be searching for something.

It was taught in a *baraita* that Rabbi Yosei bar Kisma says: The two feet of one’s youth are better than the three of old age, when one walks with a cane. Woe to the one who goes and does not come back. What is this referring to? Rav Hisda said: Youth. Similarly, when Rav Dimi came from Eretz Yisrael to Babylonia he said: Youth is a crown of roses; old age is a crown of thorns. The Sage taught in the name of Rabbi Meir: Grind food with your teeth and you will find in your feet^N the strength to carry your body, as it is stated: “For we were sated with our bread and were well, and saw no evil” (Jeremiah 44:17). Shmuel said to Rav Yehuda: Large-toothed one; untie your sack, that is, your mouth, and insert your food. Until the age of forty years, food is beneficial; from here and on, drinking is beneficial.

Having quoted some aphorisms of the Sages, the Gemara relates the following conversation: A certain eunuch who was an apostate said the following to Rabbi Yehoshua ben Korḥa as a provocation: How far is it from here to Karḥina? The provocateur’s intention was to hint to the fact that Rabbi Yehoshua ben Korḥa was bald [*kere’ah*]. He said to him: It is the same as the distance from here to the mountains of Gozen, hinting at the eunuch’s castration, which in Aramaic is *goza* (Rav Ya’akov Emden). The apostate said to him: A bald buck^N is sold for four *dinar*. He said to him: A castrated goat [*ikkara shelifa*]^L is sold for eight.

The apostate saw that Rabbi Yehoshua ben Korḥa was not wearing shoes. He said to him: One who rides on a horse is a king. One who rides on a donkey is a free man. And one who wears shoes is at least a human being. One who does neither this nor that, someone who is buried in the earth is better than him. He said to him: Eunuch, eunuch, you said to me three things, and now hear three things: The glory of a face is the beard, the joy of the heart is a wife, and “the portion of the Lord is children” (Psalms 127:3); blessed is the Omnipresent who has denied you all of them, for a eunuch does not have a beard, a wife or children. He said to him: Does a bald man quarrel? He said to him: Does a castrated male goat speak words of rebuke?

NOTES

Grind food with your teeth and you will find in your feet – דּוֹק בְּכַכִּי וְתִשְׁכַּח בְּנִיגְרִי: Rabbi Meir’s advice is meant as preparation for old age. If a person eats well during the younger years, his strength will be preserved even in old age (Maharsha).

Bald buck – בְּרַחֲמֵי קִרְחָא: Rabbeinu Hananel explained that after the eunuch degraded Rabbi Yehoshua ben Korḥa, calling him a “bald buck,” Rabbi Yehoshua responded by saying that the eunuch was just goading him to admit to the superiority of a eunuch over a bald person. His statement: Does a castrated male goat speak words of rebuke, means: You are not quarreling with me, you are just scolding me.

LANGUAGE

Castrated goat [*ikkara shelifa*] – עֵיקָרָא שְׁלִיפָא: The version in the *Arukh* is *ika shelifa*. The word *ika* is from the Greek αἶξ, *aix*, or αἶγος, *aigos*, meaning goat.

BACKGROUND

Old age and weakness – **קנה ותשישות**: The Gemara describes examples of the weakness and illness that accompany old age. The protrusion of the hip bone is particularly noticeable when an elderly person suffers from weight loss as a result of the weakness of old age, known as senile marasmus.

NOTES

Destinations that are near have become far away – **קרוכים נעשו רחוקים**: In a midrash in *Vayikra Rabba* it is explained that this means that the ears that could once hear well, can now only hear with difficulty and from close by.

That which brings peace to the house – **משים שלום**: In *Anaf Yosef* it is explained that this phrase is referring to digestion, which makes peace within one's body. If one cannot properly digest his food, he suffers significant discomfort and a lack of internal peace.

And terrors shall be on the road – **ותחתתים בדרך**: In his commentary to Ecclesiastes, Rashi explains that the word terrors [*hathatim*] stems from the word *hita*, meaning fear. This phrase means that one will be afraid while traveling.

אמר ליה רבי לרבי שמעון בן חלפתא: מפני מה לא הקבלנו פניך ברגל בדרך שהקבילו אבותי לאבותיך? אמר ליה: סלעים נעשו גבוהים, קרובים נעשו רחוקים, משתים נעשו שלש, משים שלום בבית בטל.

”וסגרו דלתים בשוק וגו’ – אלו נקביו של אדם, בשפל קול הטחנה” – בשביל קורקבן שאינו טוחן, וינקים לקול הצפור” – שאפילו צפור מנערתו משנתו, וישחו כל בנות השיר” – שאפילו (קול שירים ושיירות) דומות עליו בשוהה.

ואף ברזילי הגלעדי אמר לדוד: “בן שמונים שנה אנכי היום האדע בין טוב לרע” – מכאן שדעותן של זקנים משתנות, אם יטעם עבדך את אשר אוכל ואת אשר אשתה” – מכאן ששפלותיהן של זקנים מתרפטות, אם אשמע עוד בקול שרים ושרות” – מכאן שאזניהם של זקנים מתכבדות.

אמר רב: ברזילי הגלעדי שקרא הוה, דההיא אמתא דהווא בי רבי בת תשעין ותרתין שנין, והות טעמא קידרא. רבא אמר: ברזילי הגלעדי שטוף בזמה הוה, וכל השטוף בזמה – זקנה קופצת עליו. תניא, רבי ישמעאל ברבי יוסי אומר: תלמידי חכמים, כל זמן שמוקינין – חכמה נתוספת בהם, שנאמר: “בישישים חכמה ואורך ימים תבונה”. ועמי הארץ, כל זמן שמוקינין – טפשות נתוספת בהן, שנאמר “מסיר שפה לנאמנים וטעם זקנים יקח”.

”גם מגבוה ייראו” שאפילו גבושיות קטנה דומה עליו כהרי הרים, וחתחתים בדרך” בשעה שמהלך בדרך נעשו לו תוהים. וינאץ השקד” – זו קליבוסת, ויסתבל החגב” – אלו עגבות, ותפר האבינה” – זו חמדה.

The Gemara again addresses old age: Rabbi Yehuda HaNasi said to Rabbi Shimon ben Halafta: For what reason did we not greet you during the Festival the way that my fathers greeted your fathers? This was a polite way of asking Rabbi Shimon ben Halafta why he had not come to visit Rabbi Yehuda HaNasi. He said to him: Because I have grown old,⁸ and the rocks on the road have become tall, and destinations that are near have become far away,⁹ and my two feet have been made into three with the addition of a cane, and that which brings peace to the house,¹⁰ namely, the sexual drive which motivates a couple to make peace, is no more.

The Gemara continues to expound the verses of the final chapter of Ecclesiastes. The verse states: “And the doors shall be shut in the marketplace when the sound of the grinding is low, and one shall start up at the voice of a bird, and all the daughters of music shall be brought low” (Ecclesiastes 12:4). The Sages expounded: “And the doors shall be shut in the marketplace”; these are a person’s orifices, which cease to function normally. The interpretation continues: “When the sound of the grinding is low”; because the stomach is not grinding and digesting one’s food. “And one shall start up at the voice of a bird”; because one is unable to sleep deeply such that even a bird will wake him from his sleep. “And all the daughters of music shall be brought low”; this means that even the voices of male and female singers will seem to him like mere conversation, and he will no longer derive pleasure from song.

And even Barzilai the Gileadite said to David: “Today I am eighty years old, can I discern between good and bad? Can your servant taste what I eat or what I drink? Can I hear any more the voice of singing men and singing women?” (11 Samuel 19:36). The Gemara explains: “Can I discern between good and bad”; from here we derive that the minds of the elderly change and they no longer discern properly. “Can your servant taste what I eat or what I drink”; from here we derive that the lips of the elderly crack and wither. “Can I hear any more the voice of singing men and singing women”; from here we derive that the ears of the elderly become heavy.

Rav said: Barzilai the Gileadite was a liar and he merely wanted to avoid joining David upon his return to Jerusalem, for an eighty year old man is not usually this debilitated. For there was a particular maidservant in the house of Rabbi Yehuda HaNasi who was ninety-two years old, and she would taste the food that was cooking in the pots. Rava said: Barzilai was speaking the truth, but Barzilai the Gileadite was steeped in promiscuity, and anyone who is steeped in promiscuity is overtaken by old age before his time. It was taught in a *baraita* that Rabbi Yishmael, son of Rabbi Yosei, says: As Torah scholars grow older, wisdom is increased in them, as it is stated: “With aged men is wisdom; and length of days brings understanding” (Job 12:12). And as ignoramuses grow older, foolishness is increased in them, as it is stated: “He removes the speech of men of trust and takes away the understanding of the aged” (Job 12:20).

The Gemara continues interpreting verses from Ecclesiastes. The verse states: “Also when they shall be afraid of that which is high and terrors shall be on the road, and the almond tree shall blossom, and the grasshopper shall drag itself along, and the caper berry shall fail, for a person goes to his eternal home, and the mourners circle the marketplace” (Ecclesiastes 12:5). The Gemara explains: “Also when they shall be afraid of that which is high”; this means that even a small knoll on the road seems to him, the elderly, like the highest of mountains. “And terrors shall be on the road”;¹¹ this means that while he is walking on the road he will have terrors, i.e., he will fear falling or otherwise suffering injury. “And the almond tree shall blossom”; this is the hip bone that protrudes from the skin of an elderly person. “And the grasshopper [*hagav*] shall drag itself along [*yistabbel*]”; by replacing the letter *het* of *hagav* with an *ayin*, this can be understood as referring to the buttocks [*agavot*] which become heavy [*sevel*]. “And the caper berry shall fail”; this is sexual desire that ceases.

רב כהנא הוה פסיק סיידרא קמיה דרב, כי מטא להאי קרא נגיד ואתנת. אמר: שמע מינה בטל ליה חמדיה דרב. אמר רב כהנא: מאי דכתיב "כי הוא אמר ויהי" – זו אשה, "הוא צוה ויעמוד" – אלו בנים. תנא: אשה חמת מלא צואה, ופיה מלא דם – והכל רצין אחריה.

"כי הולך האדם אל בית עולמו" אמר רבי יצחק: מלמד שכל צדיק וצדיק נותנין לו מדור לפי כבודו. משל למלך שנכנס הוא ועבדיו לעיר, בשעה נכנסין – כולן בשער אחד נכנסין, בשעה לנן – כל אחד ואחד נותנין לו מדור לפי כבודו.

ואמר רבי יצחק: מאי דכתיב "כי הילדות והשחרות הבל" דברים שאדם עושה בילדותו – משחירים פניו לעת זקנתו.

ואמר רבי יצחק: קשה רימה למת כמחט בבשר החי, שנאמר "אך בשרו עליו יכאב". אמר רב חסדא: נפשו של אדם מתאבלת עליו כל שבועה, שנאמר "ונפשו עליו תאבל". וכתיב "ויעש לאביו אבל שבעת ימים".

אמר רב יהודה: מת שאין לו מנחמין הולכין עשרה בני אדם ויושבין במקומו. והוא דשכיב בשבבתייה דרב יהודה לא היו לו מנחמין.

Perek XXIII
Daf 152 Amud b

כל יומא הוה דבר רב יהודה בי עשרה, ויתבי בדוכתייה. לאחר שבועה ימים איתחזי ליה בחילמיה דרב יהודה, ואמר ליה: תנוח דעתך שהנחת את דעתך.

אמר רבי אבהו: כל שאומרים בפני המת יודע, עד שיסתם הגולל. פליגי בה רבי חייה ורבי שמעון ברבי: חד אמר: עד שיסתם הגולל, וחד אמר: עד שיתעכל הבשר.

The Gemara relates that Rav Kahana was reading biblical verses before Rav. When he got to this verse, Rav sighed. Rav Kahana said: We can derive from this that Rav's desire has ceased. Rav Kahana also said: What is the meaning of that which is written: "For He spoke and it was, He commanded and it stood" (Psalms 33:9)? He understands this to mean that God created man with desires that push him to do things he would not do if he acted purely on the judgment of his intellect, and Rav Kahana therefore interprets the verse in the following manner: "For He spoke and it was"; this is a woman that a man marries. "He commanded and it stood"; these are the children who one works hard to raise. A *tanna* taught in a *baraita*: A woman is essentially a flask full of feces, a reference to the digestive system, and her mouth is full of blood, a euphemistic reference to menstruation, yet men are not deterred and they all run after her with desire.

The Gemara interprets the continuation of the verse cited above: "For a person goes to his eternal home" (Ecclesiastes 12:5). Rabbi Yitzhak said: This teaches that each and every righteous person is given a dwelling place in the World-to-Come in accordance with his honor. The Gemara offers a parable in which a king enters a city along with his servants. When they enter, they all enter through a single gate; however, when they sleep, each one is given a dwelling place in accordance with his honor. So too, although everyone dies, not everyone receives the same reward in the World-to-Come.

And Rabbi Yitzhak said: What is the meaning of that which is written: "For childhood and youth [*shaḥarut*] are vanity" (Ecclesiastes 11:10)? Sinful things that a person does in his youth darken [*mashḥirin*] his face with shame as he grows old (Rabbi Yoshiya Pinto).

And Rabbi Yitzhak said: The maggots that eat the flesh of the deceased are as painful to the dead as a needle in the flesh of the living, as it says with regard to the dead: "But his flesh is in pain for him, and his soul mourns over him" (Job 14:22). Rav Hisda said: A person's soul mourns for him during all seven days of mourning following his death, as it is stated: And his soul mourns over him," and it is also written: "And he mourned his father seven days" (Genesis 50:10).

Rav Yehuda said: In the case of a deceased person who has no comforters,^{NH} i.e., he has nobody to mourn for him, ten people should go and sit in his place and accept condolences. The Gemara relates the story of a certain person who died in Rav Yehuda's neighborhood and who did not have any comforters, i.e., mourners;

every day of the seven day mourning period, Rav Yehuda would take ten people and they would sit in his place, in the house of the deceased. After seven days had passed the deceased appeared to Rav Yehuda in his dream and said to him: Put your mind to rest, for you have put my mind to rest.

Rabbi Abbahu said: Everything people say before the deceased,^N he knows, until the tomb is sealed with the top-stone. Rabbi Hiyya and Rabbi Shimon, son of Rabbi Yehuda HaNasi, disagreed with regard to the meaning of this statement. One of them said that the deceased is aware until the tomb is sealed with the top-stone, which is referring to the covering of the grave (*Tosafot*). And one of them said that it is until the flesh decomposes.

NOTES

A deceased person who has no comforters – מת שאין לו מנחמין: Maharsha explains that since the soul mourns for the person, the people who come to offer comfort are in fact coming to comfort the deceased himself. This explains why the Gemara uses the expression: A deceased person who has no comforters.

HALAKHA

A deceased person who has no comforters – מת שאין לו מנחמין: If a person passes away and has no relatives to mourn for him, ten people come and sit in the person's home for a full seven days while others come and comfort them, in accordance with the example of Rav Yehuda. However, the Rema writes: I have not seen people do this. Even so, if the deceased has no mourners, ten people gather and pray in the place where the person died for all seven days of mourning, in accordance with Rav Yehuda's actions as related in the Gemara (Rambam *Sefer Shofetim*, *Hilkhot Evel* 13:4; *Shulḥan Arukh*, *Yoreh De'a* 376:3).

NOTES

כל – Everything people say before the deceased – שאומרים בפני המת: This statement is a continuation of the previous discussion about a person's soul remaining with his body for a period of time after death. The Sages disagree about the duration of this time period.

NOTES

Royal garments – בגדי מלכות: The Maharsha explains that the wise servants wear the royal garments that have been lent to them only when they perform honorable and clean activities. When they are engaged in other types of activities, they leave the garments in their boxes. On the other hand, the foolish servants do not pay attention to the fact that the clothes are not their own, and wear them even when engaged in ignoble and dirty activities.

LANGUAGE

Box [kufsa] – קופסא: From the Latin word capsula, meaning a container, especially one used for books.

מֵאֵן דָּאָמַר עַד שְׁתַּעֲבֵל הַבָּשָׂר – דְּכַתִּיב “אֲךָ בָּשָׂר עָלָיו יִכְאֹב וְנִפְשׁוֹ עָלָיו תֵּאָבֵל.” מֵאֵן דָּאָמַר עַד שְׁיִסְתֵּם הַגּוֹלֶל – דְּכַתִּיב “וַיָּשׁוּב הָעֶפֶר עַל הָאָרֶץ בְּשִׁתְּיָהּ וְגו’.”

תָּנוּ רַבֵּנּוּ: “וְהָרוּחַ תָּשׁוּב אֶל הָאֱלֹהִים אֲשֶׁר נָתַנָּה” – תָּנָה לוֹ כְּמוֹ שֶׁנִּתְּנָה לָךְ בְּטַהֲרָה – אִף אַתָּה בְּטַהֲרָה. מִשָּׁל לַמֶּלֶךְ בָּשָׂר וְדָם שֶׁחִלַּק בְּגָדֵי מַלְכוּת לַעֲבָדָיו. פָּקִיחַן שֶׁבָּהֶן קִיפְלוּם וְהַנִּיחִים בְּקוּפְסָא, טַפְשִׁים שֶׁבָּהֶן הִלְכוּ וַעֲשׂוּ בָּהֶן מְלָאכָה. לְיָמִים בִּיקֵּשׁ הַמֶּלֶךְ אֶת כָּלָיו, פָּקִיחַן שֶׁבָּהֶן הַחֲזִירוּם לוֹ בְּשֵׁהָן מְגוּהָצִין, טַפְשִׁים שֶׁבָּהֶן הַחֲזִירוּם לוֹ בְּשֵׁהָן מְלוּכָלְכִין. שָׂמַח הַמֶּלֶךְ לִקְרֹאת פָּקִיחַן, וְכַעַס לִקְרֹאת טַפְשִׁין.

עַל פָּקִיחַן אָמַר: יִתְּנוּ כָּלִי לְאוֹצָר, וְהֵם יִלְכוּ לְבִתְיָהֶם לְשָׁלוֹם. וְעַל טַפְשִׁין אָמַר: כָּלִי יִתְּנוּ לְכוֹבֵס, וְהֵם יִתְחַבְּשׁוּ בְּבֵית הָאֶסְרוֹרִים.

אִף הַקָּדוֹשׁ בְּרוּךְ הוּא, עַל גּוֹפֵן שֶׁל צְדִיקִים אָמַר “יָבֵא שָׁלוֹם יְנוּחוּ עַל מִשְׁכְּבוֹתָם” וְעַל נִשְׁמָתָן הוּא אָמַר “וְהִיָּתָה נֶפֶשׁ אַדְוָנִי צְרוּרָה בְּצִרוֹר הַחַיִּים.” עַל גּוֹפֵן שֶׁל רָשָׁעִים הוּא אָמַר “אֵין שָׁלוֹם אָמַר ה’ לְרָשָׁעִים” וְעַל נִשְׁמָתָן הוּא אָמַר “וַיָּאֵת נֶפֶשׁ אוֹיְבֶיךָ יִקְלַעְנָה בְּתוֹךְ כַּף הַקָּלַע.”

תִּנְיָא, רַבִּי אֱלִיעֶזֶר אָמַר: נִשְׁמָתָן שֶׁל צְדִיקִים גְּנוּזוֹת תַּחַת כִּסֵּא הַכְּבוֹד, שְׁנֵאֲמַר “וְהִיָּתָה נֶפֶשׁ אַדְוָנִי צְרוּרָה בְּצִרוֹר הַחַיִּים,” וְשֶׁל רָשָׁעִים זִמְמוֹת וְהוֹלְכוֹת, [וּמִלֶּאךָ אֶחָד עוֹמֵד בְּסוֹף הָעוֹלָם וּמִלֶּאךָ אֶחָד עוֹמֵד בְּסוֹף הָעוֹלָם, וּמִקְלַעִין נִשְׁמָתָן זֶה לָהֶם]. שְׁנֵאֲמַר “וַיָּאֵת נֶפֶשׁ אוֹיְבֶיךָ יִקְלַעְנָה בְּתוֹךְ כַּף הַקָּלַע.”

אָמַר לִיה רַבָּה לְרַב נַחֲמָן: שָׁל בִּינוּנִים מֵאִי? אָמַר לִיה: אֵיכָא שְׂכִיבָנָא לֹא אָמַרִי לְכוּ הָאֵי מִלֵּתָא. הָכִי אָמַר שְׁמוּאֵל: אֵלּוּ וְאֵלּוּ לְדוּמָה נִמְסְרִין, הִלְלוּ – יֵשׁ לָהֶן מְנוּחָה, הִלְלוּ – אֵין לָהֶן מְנוּחָה. אָמַר (לִיה) רַב מַרִּי: עֲתִידִים צְדִיקִים דְּהוּ עֲפָרָא, דְּכַתִּיב “וַיָּשׁוּב הָעֶפֶר עַל הָאָרֶץ בְּשִׁתְּיָהּ וְגו’.”

The one who said that it is until the flesh decomposes can support his position based on that which is written in the following verse: “But his flesh grieves for him, and his soul mourns over him” (Job 14:22). This indicates that the deceased is aware of the pain of his flesh in the grave. The one who said that the deceased is aware only until the tomb is sealed with the top-stone can support his view based on that which is written in a different verse: “And the dust returns to the earth as it was, and the spirit returns to God who gave it” (Ecclesiastes 12:7). This indicates that when the body returns to the earth, the spirit also returns to its place and is no longer aware of what is happening to the body.

The Sages taught with regard to the verse: “And the spirit returns to God who gave it” (Ecclesiastes 12:7) that the words: Who gave it, mean: As it was given. In other words, give it to Him as He gave it to you; just as He gave it to you in purity, you too should return it to God in purity. The Gemara cites a parable of a king of flesh and blood who distributed royal garments^N to his servants. The wise ones folded them and placed them in a box [kufsa]¹ to protect them, whereas the foolish ones went and worked in them. After a period of time the king requested that his garments be returned to him. The wise ones returned them to him pressed, as they were when the servants received them, and the foolish ones returned them dirty. The king was happy to greet the wise ones and angry to greet the foolish ones.

With regard to the wise ones he said: My garments shall be given back to the storehouse, and let them go to their homes in peace. And with regard to the foolish ones he said: My garments shall be given to the launderer, and they, the fools, will be locked up in prison as a punishment for degrading the king’s garments for their own purposes.

The Holy One, Blessed be He, also acts in this way. With regard to the bodies of the righteous, which are likened to the royal garments that are well kept, it states: “He enters into peace, they rest on their beds each one that walks in his uprightness” (Isaiah 57:2). And with regard to their souls, it states: “And the soul of my lord shall be bound in the bundle of life with the Lord your God” (1 Samuel 25:29). And conversely, with regard to the bodies of the wicked, it states: “There is no peace, says the Lord, for the wicked” (Isaiah 57:21), and with regard to their souls, it states: “And the souls of your enemies He shall sling out in the hollow of a sling” (1 Samuel 25:29).

It was taught in a *baraita* that Rabbi Eliezer says: The souls of the righteous are stored beneath the Throne of Glory, as it is stated: “And the soul of my lord shall be bound in the bundle of life” (1 Samuel 25:29). And the souls of the wicked are continuously tied up, and one angel stands at one end of the world and another angel stands at the other end of the world and they sling the souls of the wicked back and forth to one another, as it is stated: “And the souls of your enemies He shall sling out in the hollow of a sling” (1 Samuel 25:29).

Rabba said to Rav Nahman: What happens to the souls of middling people, who are neither righteous nor wicked? Rav Nahman said to him: It is good that you asked me this question, for even if I were dead I would not have been able to tell you that. As Shmuel said as follows: These and those, the souls of the wicked and of the middling people, are handed over to Duma, the angel in charge of spirits. But these, the souls of the middling people, have rest, and these, the souls of the wicked, do not have rest. Rav Mari said: Even the bodies of the righteous will not be preserved and will become dust, as it is written: “And the dust returns to the earth as it was” (Ecclesiastes 12:7).

הנהו קפולאי דהוו קפלי בארעא דרב נחמן, נחר בהו רב אחאי בר יאשיה. אתו ואמר ליה לרב נחמן: נחר בן גברא. אתא ואמר ליה: מאן מיהו מר? אמר ליה: אָנא אחאי בר יאשיה. אמר ליה: ולא אמר רב מרי: עתידי צדיקי דהוו עפרא? אמר ליה: ומני מרי, דלא ידענא ליה. אמר ליה: והא קרא כתיב "וישוב העפר על הארץ בשיהיה"?

אמר ליה: דאקרייך קהלת לא אקרייך משלי. דכתיב "ורקב עצמות קנאה" כל מי שיש לו קנאה בלבו – עצמותיו מרקבים, כל שאין לו קנאה בלבו – אין עצמותיו מרקבים.

גשטיה, חזייה דאית ביה מששא. אמר ליה: ליקום מר לגוויה דביטא. אמר ליה: גלית אדעתך דאפילו נביאי לא קרית, דכתיב "וידעתם כי אני ה' בפתי את קברותיכם".

אמר ליה: והכתיב "כי עפר אתה ואל עפר תשוב". אמר ליה: ההוא – שענה אחת קודם תחיית המתים.

אמר ליה ההוא מינא לרבי אבהו: אמריתו "נשמתן של צדיקים גנוזות תחת כסא הכבוד". אובא טמא היכא אסקיה לשמואל בנגידא? אמר ליה: הָתָם בתוך שנים עשר חדש הוה. דתנאי: כל שנים עשר חדש גופו קיים, ונשמתו עולה ויורדת. לאחר שנים עשר חדש הגוף בטל.

Perek XXIII

Daf 153 Amud a

ונשמתו עולה ושוב אינה יורדת.

אמר רב יהודה בריה דרב שמואל בר שילת משמיה דרב: מהספדו של אדם ניכר אם בן העולם הבא הוא אם לאו. איני, והאמר ליה רב לרב שמואל בר שילת: אחים בהספדא, דהתם קאימנא. לא קשיא, הא – דמחמו ליה ואחים, הא – דמחמו ליה ולא אחים.

The Gemara cites a related story: **The diggers who were digging in Rav Nahman's land came upon a grave, and Rav Aḥai bar Yoshiya,^{NP} who was buried there, rebuked them. They came and said to Rav Nahman: A deceased person just rebuked us. Rav Nahman came and said to the person buried there: Who is the Master, i.e., who are you? He said to him: I am Aḥai bar Yoshiya. Rav Nahman said to him: How has your body been preserved? Didn't Rav Mari say that the righteous will turn to dust? Rav Aḥai said to him: And who is Mari, whom I do not know? Why should I be concerned about what he says? Rav Nahman said to him: Even without Rav Mari's statement, there is an explicit verse which is written: "And the dust will return to the earth as it was" (Ecclesiastes 12:7).**

Rav Aḥai said to him: **Whoever taught you the book of Ecclesiastes did not teach you the book of Proverbs, for it is written in Proverbs: "A tranquil heart is the life of the flesh, but envy is the rotting of the bones" (Proverbs 14:30).** This means that **anyone who has envy in his heart during his lifetime, his bones rot in the grave, and anyone who does not have envy in his heart, his bones do not rot.**

Rav Nahman touched him and saw that he had substance. Rav Nahman said to him: **Let the Master arise and come into my house. Rav Aḥai said to him: You have revealed that you have not even studied Prophets,^N and it is not just the Writings of which you are ignorant, for it is written: "And you shall know that I am the Lord when I open up your graves and lift you up from your graves, My nation" (Ezekiel 37:13).** As long as the dead have not been instructed to leave their graves, leaving of their own accord is prohibited.

Rav Nahman once again asked Rav Aḥai about the preservation of the flesh, and he said: **But it is written: "For you are dust and you shall return to dust" (Genesis 3:19), so why has your body not turned into dust? He said to him: That verse applies to the righteous only one hour before the resurrection of the dead, so that they, too, may be created anew (Maharsha).**

A certain apostate once said to Rabbi Abbahu: **You say that the souls of the righteous are stored beneath the Throne of Glory, but if so, how did the oracle woman raise up Samuel using necromancy if his soul was no longer in this world? Rabbi Abbahu said to him: There, it was within twelve months of his death, as it was taught in a baraita: For a full twelve months a deceased person's body remains and his soul ascends and descends, such that it is sometimes in this world with its body. After twelve months, the body ceases to exist**

and his soul ascends to its place beneath the Throne of Glory, and does not descend anymore.

Rav Yehuda, son of Rav Shmuel bar Sheilat, said in the name of Rav: **From a person's eulogy it is apparent whether or not he has a share in the World-to-Come.** If the listeners are pained and brought to tears during the eulogy, it is clear that the person was righteous. The Gemara asks: **Is that so? Didn't Rav say to Rav Shmuel bar Sheilat: Stir the hearts of those gathered during my eulogy, for I will be standing there and listening to your words? Even a person as great as Rav needed to give instructions about his eulogy. The Gemara answers: This is not difficult, for this statement, which maintains that those who merit a share in the World-to-Come can be identified by their eulogies, is referring to a situation in which they attempt to stir the listener and he is stirred;^N while that statement is referring to a situation in which they attempt to stir the listener and he is not stirred.** That is an indication that the deceased person was not righteous.

NOTES

רב אחאי בר יאשיה – Rav Aḥai bar Yoshiya: Some explain that the people digging in Rav Nahman's land were actually plowing his field and came across the grave. They did not know what to do with the body and went to ask Rav Nahman. Rav Aḥai bar Yoshiya appeared to Rav Nahman in a dream and their entire conversation took place in that dream (*Pardes Rimmonim*).

קהלת, – Ecclesiastes, Proverbs, Prophets: During the talmudic period, the common educational curriculum began with studying Torah and continued with the Prophets. Then the longer works of the Writings: Job, Proverbs and Psalms, were studied, followed by the shorter Writings: the five Scrolls [*Megillot*], including Ecclesiastes. Thus, Rav Aḥai bar Yoshiya said that Rav Nahman was even not an expert in the subjects taught to children, including Proverbs and the Prophets.

PERSONALITIES

רב אחאי בר יאשיה – Rav Aḥai bar Yoshiya: Rav Aḥai was one of the later *tanna'im* who lived during the time of Rabbi Yehuda HaNasi. Apparently, he was the son of the *tanna*, Rabbi Yoshiya, who was a student of Rabbi Yishmael. Rav Aḥai lived in the Babylonian city of Hutzal, although he conducted business in Neharde'a and was buried there. From the few sources that provide background about his life, it appears that he earned a living as a businessman, but was also the leader of the city of Hutzal and the surrounding villages. His teachings are quoted several times in the Talmud and the halakhic midrash. Rav Nahman lived and was active in Neharda'a a few generations after Rav Aḥai bar Yoshiya.

NOTES

They attempt to stir the listener and he is stirred – דמחמו ליה ואחים: If a eulogy is an indication that the deceased has earned a share in the World-to-Come, it is unnecessary to attempt to stir the hearts of the listeners, as it serves no purpose. If a speaker stirs the emotions of the crowd, an outpouring of emotion would not indicate the deceased's greatness. Nevertheless, even when the eulogizer attempts to deliver a moving eulogy, the listeners are not necessarily moved by every eulogy and thus the fact that they are stirred reflects well on the deceased.

רבה בפומבדיתא – Rabba in Pumbedita: Rabba was the head of the yeshiva in Pumbedita for many years and was a fearless leader. Since he would not refrain from strongly reprimanding the leaders of the city for their negative character traits, he was not well loved by the local people. However, neither he nor his student Abaye saw fault in this, for Abaye said: If a Sage is beloved by the inhabitants of his city it is not because he is such a great leader, but because he does not rebuke them in matters related to fear of Heaven (*Ketubot* 105b).

HALAKHA

שוב – Repent one day before your death: A person should always view himself as if death is at hand, and that he may die at any moment in his current sinful state. These thoughts will cause a person to repent immediately. One should not say: When I grow old I will return to God, lest one die before reaching old age. This is the meaning of that which King Solomon said: “At all times your clothes should be white” (Rambam *Sefer HaMadda*, *Hilkhot Teshuva* 7:2).

NOTES

אלוואלו – These and these sit at the feast: The midrash similarly states that one who sits at a meal and does not eat suffers more than if he were merely hungry. This is the punishment of the wicked.

בגדיך לבנים – Let your clothes be white: This statement refers to ritual fringes because they are white. Although in past generations the fringes included threads which were dyed sky blue [*tekhelet*], one can fulfill the mitzva with white threads alone when the special sky blue dye is unavailable. The phrase: At all times, is used because the mitzva applies at all times. Similarly, the phrase: Shall not be absent, is the source for the law that one must wear phylacteries on his head even if those which are worn on the arm are unavailable (Maharsha).

אמר ליה אביי לרבה: כגון מר, דסנו ליה בוליה פומבדיתאי, מאן אחים הספידא? אמר ליה: מיסתינא את ורבה בר רב חנן.

בעא מניה רבי אלעזר מרב: איזהו בן העולם הבא? אמר ליה: “ואזניך תשמענה דבר מאחריך לאמר זה הדרך לכו בו כי תאמינו וכי תשמאלו”. רבי חנינא אמר: כל שדעת רבותינו נוחה הימנו. “וסבבו בשוק הסופדים”. בני גלילא אמרי: עשה דברים לפני משתך, בני יהודה אמרי: עשה דברים לאחר משתך. ולא פליגי, מר כי אתריה ומר כי אתריה.

תנן התם, רבי אליעזר אומר: שוב יום אחד לפני מיתתך. שאילו תלמידיו את רבי אליעזר: וכי אדם יודע איזהו יום ימות? אמר להן: וכל שכן, ישוב היום שפא ימות למחר, ונמצא כל ימיו בתשובה. ואף שלמה אמר בחכמתו: “בכל עת יהיו בגדיך לבנים ושמן על ראשך אל יחסר”.

אמר רבי יוחנן בן זכאי: משל למלך שזימן את עבדיו לסעודה, ולא קבע להם זמן. פיקחין שבהן קישטו את עצמן וישבו על פתח בית המלך. אמרו: כלום חסר לבית המלך? טיפשין שבהן הלכו למלאכתן, אמרו: כלום יש סעודה בלא טורח?

בפתאום ביקש המלך את עבדיו. פיקחין שבהן נכנסו לפניו בשנה מוקשטין, והטיפשיים נכנסו לפניו בשנה מלוכלכין. שמח המלך לקראת פיקחין, וכעס לקראת טיפשיים. אמר: הללו שקישטו את עצמן לסעודה – ישבו ואכלו וישתו, הללו שלא קישטו עצמן לסעודה – יעמדו ויראו.

חתנו של רבי מאיר משום רבי מאיר אמר: אף הן נראין כמשמשין. אלא, אלו ואלו יושבין, הללו – אוכלין, והללו – רעבין. הללו שותתין והללו צמאים, שנאמר “כה אמר ה' הנה עבדי יאכלו ואתם תרעבו הנה עבדי ישתו ואתם תצמאו הנה עבדי ירונו משוב לב ואתם תצערקו מבאב לב”.

דבר אחר: “בכל עת יהיו בגדיך לבנים” – אלו ציצית, “ושמן על ראשך אל יחסר” – אלו תפילין.

הדרן עלך שואל

Abaye said to Rabba: In the case of the Master, i.e., Rabba, whom all of the inhabitants of his city, Pumbedita,^p hate, who will be stirred during his eulogy? He said to him: It is sufficient for me if you and Rabba bar Rav Hanan are stirred.

Rabbi Elazar raised a dilemma before Rav: Which type of person has a share in the World-to-Come? He said to him: We can derive this from the verse: “And your ears shall hear a word behind you, saying: This is the path, walk on it, when you turn to the right or to the left” (Isaiah 30:21). In other words, if people eulogize one by saying that others should follow in his path, he must have a share in the World-to-Come. Rabbi Hanina said: Anyone with whom our Rabbis are pleased has a share in the World-to-Come. In interpreting the verse: “And the eulogizers walk about the marketplace” (Ecclesiastes 12:5), the people of the Galilee say: Do things that you will want people to say at your eulogy in front of your bier. The people of Judea say: Do things that you want people to say at your eulogy behind your bier. The Gemara remarks: And they do not disagree; this Sage expressed it according to the norm in his place, and this Sage expressed it differently according to the norm in his place. The custom in the Galilee was that the eulogizers would stand before the bier and the custom in Judea was that eulogizers would stand behind the bier.

We learned there in a mishna that Rabbi Eliezer says: Repent one day before your death.^h Rabbi Eliezer’s students asked him: But does a person know the day on which he will die? He said to them: All the more so this is a good piece of advice, and one should repent today lest he die tomorrow; and by following this advice one will spend his entire life in a state of repentance. And King Solomon also said in his wisdom: “At all times your clothes should be white, and oil shall not be absent from upon your head” (Ecclesiastes 9:8), meaning that a person always needs to be prepared.

Similarly, Rabban Yohanan ben Zakkai said the following story as a parable to this lesson: The situation is comparable to a king who invited his servants to a feast and did not set a time for them to come. The wise among them adorned themselves and sat at the entrance to the king’s house. They said: Is the king’s house missing anything necessary for the feast? Certainly the king could invite them at any moment. The fools among them went to attend to their work and said: Is there such thing as a feast without the toil of preparing for it? While the feast is being prepared, we will attend to other matters.

Suddenly, the king requested that his servants come to the feast. The wise among them entered before him adorned in their finest clothes, and the fools entered before him dirty. The king was happy to greet the wise ones and angry to greet the fools. The king said: These wise servants who adorned themselves for the feast shall sit and eat and drink, but these fools who did not adorn themselves for the feast shall stand and watch. There is a similar outcome for people who think that their day of death and judgment is far away and do not prepare themselves for it.

Rabbi Meir’s son-in-law said in the name of Rabbi Meir: If the punishment for those who did not prepare themselves in advance was merely to stand and watch, it would not be severe enough because they also look like servants at the feast, which is not such a disgraceful punishment. Rather, these and these, both groups of people, sit at the feast.ⁿ These wise and righteous people eat, and these wicked fools are hungry; these righteous people drink, and these wicked people are thirsty, as it is stated: “Therefore, thus said the Lord, God: Behold, My servants shall eat and you shall be hungry; behold, My servants shall drink and you shall be thirsty; behold, My servants shall rejoice and you shall be ashamed. Behold, My servants shall sing from a joyous heart and you shall scream from a pained heart” (Isaiah 65:13–14).

Alternatively, the verse quoted above can be interpreted in the following way: “At all times let your clothes be white”;ⁿ this is clothing that contains ritual fringes [*tzitzit*], which are white. “And oil shall not be absent from upon your head”; these words hint to phylacteries, which are worn on the head.

Summary of Perek XXIII

The discussion in this chapter of the *halakhot* relating to business activity on Shabbat can be summarized as follows: Not only is it forbidden to engage actively in any business activity or transaction on Shabbat, it is prohibited even to speak about such activities, even if they are for the purpose of Shabbat itself. Nonetheless, when necessary for the purpose of Shabbat, the Sages did permit conducting certain business activities in a roundabout fashion, by hinting or by avoiding common business expressions. This leniency stems from the fact that business activity is not inherently prohibited on Shabbat, but rather is forbidden by rabbinic decree. We do not add to rabbinic decrees with additional layers of safeguards meant to distance people from violation. Therefore, in these situations the Sages were satisfied with the requirement that people use particular formulations that would remind them of the sanctity of Shabbat and that would thereby ensure they not violate actual prohibited labors.

This decree against the discussion of monetary matters on Shabbat applies to mundane causes and personal needs. However, it is permissible and even fitting to discuss mitzva causes on Shabbat, even when they include preparation for the performance of prohibited labors after Shabbat; this does not demonstrate disregard for the honor of Shabbat.

Attending to the needs of the deceased is a mitzva and an important way of upholding human dignity. Consequently, the Sages permitted certain activities in order to ensure that the deceased not suffer unnecessary degradation when located in an undignified place, as it is forbidden to move a corpse on Shabbat. Yet, they did not allow burying or even moving a corpse on Shabbat. Although *halakha* is greatly concerned for the dignity of the deceased, the wellbeing of the living is even more important, as the living are still obligated to fulfill mitzvot. Even the preservation of the dignity of the deceased does not override outright Shabbat prohibitions.

But the seventh day is Shabbat to the Lord your God; you shall not do any manner of work, you, your son, your daughter, your man-servant, your maid-servant, your ox, your donkey, nor any of your cattle, nor your stranger that is within your gates; that your man-servant and your maid-servant may rest as well as you.

(Deuteronomy 5:13)

Introduction to Perek XXIV

The *halakhot* discussed in this chapter relate primarily to what may and may not be done for animals on Shabbat. Some of these issues have already been addressed in earlier chapters, and Chapter Five was devoted to clarifying the laws of transporting items that are on an animal from one domain to another on Shabbat. This chapter addresses a more limited and specific issue, namely, the details of the prohibition of driving a laden animal on Shabbat. For example, what is the source of the prohibition? The Gemara considers whether the Torah expressly forbids driving a laden animal, whether the prohibition stems from a rabbinic decree not to make use of animals, or whether it is derived from the positive command to allow animals to rest. Similarly, the chapter examines the severity and scope of this prohibition.

This chapter also explores issues related to the preparation of food for animals on Shabbat. There are several considerations in this regard: One may not perform a labor prohibited by Torah law for the purposes of an animal, just as one may not do so for human beings. However, since it is necessary to care for one's animals, the Gemara clarifies which activities may be performed in order to provide food for them. The chapter seeks to establish the fundamental basis for determining the *halakha* in these cases. It also addresses whether the prohibition of set-aside objects is suspended for the purpose of attending to the needs of animals.

מתני' מי שהחשיך בדרך – נותן כיסו לגוי, ואם אין עמו גוי – מניחו על החמור. הגיע לחצר החיצונה – נוטל את הכלים הנטלים בשבת, ושאינן נטלים בשבת – מתייר החבלים, והשקין נופלין מאיליהם.

גמ' מאי טעמא שרו ליה רבנן למיתב כיסיה לגוי? קים להו לרבנן דאין אדם מעמיד עצמו על ממונו, אי לא שרית ליה – אחי לאיתויי ארבע אמות ברשות הרבים.

אמר רבא: דוקא כיסו, אבל מציאה – לא. פשיטא, "כיסו" תנן! מהו דתימא: הוא הדין אפילו מציאה, והאי דקתני כיסו – אורחא דמילתא קתני, קא משמע לן. ולא אמרן אלא דלא אחי לידיה, אבל אחי לידיה – בכיסיה דמי.

איכא דאמרי; בעי רבא: מציאה הבאה לידו מהו? בין דאתא לידיה – בכיסיה דמי, או דילמא: בין דלא טרח בה – לאו בכיסיה דמי? תיקו.

"אין עמו גוי". טעמא, דאין עמו גוי, הא יש עמו גוי – לגוי יהיב ליה. מאי טעמא? חמור אתה מצווה על שביתתו, גוי – אי אתה מצווה על שביתתו.

MISHNA One who was traveling on Shabbat eve and night fell, and Shabbat began while he was still en route,^h gives his money pouch to a gentile traveling with him. And if there is no gentile with him he places it on the donkey. Once he reached the outer courtyard^h of the city, where belongings can be securely placed, he takes the vessels that may be moved on Shabbat off the donkey. With regard to the vessels that may not be moved on Shabbat, he unties the ropes that attach his bags to the donkey, and the bags of vessels fall on their own.

GEMARA We learned in the mishna: One who was traveling on Shabbat eve and night fell, and Shabbat began while he was still en route, gives his money pouch to a gentile. The Gemara asks: **What is the reason that the Sages permitted him to give his pouch to a gentile?** Is it not prohibited for a Jew to ask a gentile to perform a prohibited labor on Shabbat? The Gemara answers: **The Sages maintain that a person does not restrain himself when faced with losing his money.ⁿ If you do not permit him to give his pouch to a gentile, he will come to carry four cubits in a public domain, thereby violating a Torah prohibition.**

Rava said: This allowance to give the pouch to a gentile is specifically with regard to his own pouch, but in the case of a lost object that he found, no, it was not permitted.^h The Gemara asks: That is obvious, as we learned in the mishna: **His pouch**, and nothing else. The Gemara answers: Rava specified this lest you say that the same is true even with regard to a lost object, that one may give it to a gentile on Shabbat, and the mishna taught the case of his pouch merely because it is the manner in which the matter typically occurs. Therefore, Rava teaches us that the mishna is in fact establishing a *halakha* restricted to his pouch. The Gemara comments: **And we only said that this allowance does not apply to a lost object when it did not come into his possession before Shabbat. However, if the object already came into his possession before Shabbat, its legal status is like that of his pouch.**

Some state this dilemma in a different manner. Rava raised a dilemma: With regard to a lost object that came into his possession before Shabbat, what is the ruling? Is the *halakha* that since it already came into his possession, its legal status is like that of his pouch? Or perhaps, since he did not exert himself to acquire it, its legal status is not like that of his pouch. Since he expended no effort, he would be capable of restraining himself even when faced with losing it. Therefore, there is no need for the Sages to permit him to give it to a gentile. The Gemara concludes: **Let this dilemma stand unresolved.**

We learned in the mishna: **And if there is no gentile with him** he places it on the donkey. The Gemara infers: **The reason** is specifically because **there is no gentile with him; if there is a gentile with him, he gives it to the gentile** and does not place it on a donkey. The Gemara asks: **What is the reason for this halakha?** The Gemara answers: With regard to a donkey belonging to a Jew, **you are commanded with regard to its rest on Shabbat. With regard to a gentile, you are not commanded with regard to his rest** and no Torah prohibition is being violated.

HALAKHA

One who was traveling and night fell while he was en route – **מי שהחשיך בדרך** – One who is traveling and Shabbat begins while he is still on the road may give his money to a gentile to carry it for him if there is a gentile traveling with him. If there is no gentile with him, he may place his pouch on the donkey (Rambam *Sefer Zemanim, Hilkhot Shabbat* 6:22; *Shulhan Arukh, Oraḥ Hayyim* 266:1).

Once he reached the outer courtyard – **הגיע לחצר** – One who is traveling on Shabbat eve and arrives after nightfall at a location where he can securely leave his belongings, may take the vessels that may be moved on Shabbat from his donkey. With regard to the rest of the vessels, i.e., the vessels that may not be moved on Shabbat, he may untie the ropes that attach his bags to the donkey and let the bags of vessels fall on their own (Rambam *Sefer Zemanim, Hilkhot Shabbat* 21:10; *Shulhan Arukh, Oraḥ Hayyim* 266:9).

Specifically with regard to his own pouch, but in the case of a lost object, no – **אבל מציאה לא** – One may give a gentile an object that he is carrying on Shabbat if it is one's own property. However, it is prohibited to give a gentile someone else's lost object that one found after Shabbat began (Rambam *Sefer Zemanim, Hilkhot Shabbat* 6:22; *Shulhan Arukh, Oraḥ Hayyim* 266:9).

NOTES

A person does not restrain himself when faced with losing his money – **אין אדם מעמיד עצמו על ממונו** – The early commentaries pointed out that the Gemara applied this same principle to prohibit taking objects out of a burning house on Shabbat, and asked why it is cited here as a reason for leniency. They answered

that in the case of a house fire, panic reigns and if certain allowances were made, people would allow themselves to remove even prohibited items from the house. In this case, there is no sense of panic, and therefore there is no concern that one will extend the leniency to prohibited items (*Tosefot Rid*).

חמור וחרש שוטה וקטן – חמור וחרש שוטה וקטן: One who was traveling and Shabbat began, and a donkey, a deaf-mute, an imbecile, and a minor were alongside him, should place his pouch on the donkey rather than hand it to the deaf-mute, the imbecile, or the minor, because it is preferable to place it on an animal rather than give it to a person (Rambam *Sefer Zemanim, Hilkhos Shabbat* 20:7; *Shulḥan Arukh, Oraḥ Ḥayyim* 266:3).

A deaf-mute and an imbecile – חרש ושוטה: One who was traveling with a deaf-mute and an imbecile should give his pouch to the imbecile, who is completely lacking in halakhic intelligence (Rambam *Sefer Zemanim, Hilkhos Shabbat* 20:6; *Shulḥan Arukh, Oraḥ Ḥayyim* 266:4).

An imbecile and a minor – שוטה וקטן: A minor will possess halakhic intelligence and be obligated to observe mitzvot when he reaches majority. Therefore, one who is traveling with an imbecile and a minor should give his pouch to the imbecile, even though the minor is not currently obligated to observe mitzvot (Rambam *Sefer Zemanim, Hilkhos Shabbat* 20:6; *Shulḥan Arukh, Oraḥ Ḥayyim* 266:5).

A deaf-mute and a minor – חרש וקטן: One who is traveling with a deaf-mute and a minor may give his pouch to whomever he prefers. As the dilemma in the Gemara was not resolved, both the Rif and the Rosh ruled that one may act in accordance with either possibility (Rambam *Sefer Zemanim, Hilkhos Shabbat* 20:6; *Shulḥan Arukh, Oraḥ Ḥayyim* 266:5).

חמור וחרש שוטה וקטן – אחרמור
מנח ליה, לחרש שוטה וקטן לא
יהיב ליה. מאי טעמא – הני אדם,
האי – לאו אדם. חרש ושוטה –
לשוטה, שוטה וקטן – לשוטה.

איבעיא להו: חרש וקטן מאי?
אליבא דרבי אליעזר לא תיבעי
לך, דתנא, רבי יצחק אומר משום
רבי אליעזר: תרומת חרש

The Gemara teaches an additional *halakha*: If there was no gentile with him but there was a **donkey, a deaf-mute, an imbecile, and a minor**,^H meaning someone under thirteen years old, **one places it on the donkey, but one neither gives it to the deaf-mute, nor the imbecile, nor the minor. What is the reason for this?** Although they are not obligated to fulfill mitzvot, **these are people, but this donkey is not a person.** It is preferable to place it on the donkey rather than give it to a person. And if a **deaf-mute and an imbecile**^{HN} were with him, he gives it to the imbecile. If an imbecile and a **minor**^H were with him, he gives it to the imbecile.

A dilemma was raised before the Sages: If a **deaf-mute and a minor**^H were with him, **what is the ruling?** To whom does he give his pouch? The Gemara answers: **According to the opinion of Rabbi Eliezer you have no dilemma.** Rabbi Eliezer holds that a deaf-mute has a greater degree of halakhic intelligence than does a minor, **as it was taught in a baraita: Rabbi Yitzḥak says in the name of Rabbi Eliezer: The teruma of a deaf-mute that he separated from his produce**

NOTES

A deaf-mute and an imbecile – חרש ושוטה: When the Sages refer to an imbecile they mean someone who has no halakhic intelligence at all, and is therefore exempt from all mitzvot and liabilities and has the halakhic status of an animal (Rabbeinu

Hananel). However, since he is a human being, one may not place an object on him as one may on an animal. When they refer to a deaf-mute they mean someone whose halakhic intelligence is limited. This was a consequence of the deaf-mute's

inability to communicate with his surroundings in ancient times. Although he is not obligated in mitzvot, the Sages imposed certain strictures with regard to him, and there are circumstances in which he can even facilitate the fulfillment of mitzvot by others.

Perek XXIV

Daf 153 Amud b

NOTES

חמשה לא – חמשה לא: Five categories of people who may not separate *teruma* – חמשה לא: It is explained in the Jerusalem Talmud in tractate *Terumat* that these categories are derived from the verse: "Speak to the children of Israel, that they take for Me an offering [*teruma*]; of every man whose heart makes him willing you shall take My offering. And this is the offering which you shall take of them" (Exodus 25:2–3). The phrase "the children of Israel" excludes gentiles; the phrase "from every man" excludes minors; the phrase "whose heart makes him willing" excludes imbeciles and deaf-mutes who lack the heart, i.e., the halakhic intelligence, to volunteer; and the phrase "that you shall take from them" excludes one who separates *teruma* from property that does not belong to him.

HALAKHA

Five categories of people who may not separate teruma – חמשה לא: There are five categories of people whose separation of *teruma* is not considered *teruma*. They are: A deaf-mute, an imbecile, a minor, a gentile who separated *teruma* on behalf of a Jew, and a Jew who separated *teruma* from someone else's produce without the owner's consent (Rambam *Sefer Zera'im, Hilkhos Terumat* 4:2; *Shulḥan Arukh, Yoreh De'a* 331:30).

לא תצא לחולין, מפני שהוא
ספק.

כי תיבעי לך – אליבא דרבנן, דתנן:
חמשה לא יתרמו, ואם תרמו אין
תרומתן תרומה. אלו הן: חרש
שוטה וקטן, והתורם את שאינו
שלו, וגוי שתורם את של ישראל
אפילו ברשותו – אין תרומתו
תרומה.

does not vacate its sanctified status and assume **non-sacred** status **because** his status with regard to halakhic intelligence **is uncertain**. According to Rabbi Eliezer, a deaf-mute apparently has a degree of halakhic intelligence, and therefore has a greater obligation in mitzvot than a minor.

When you raise this dilemma, the issue is in accordance with the opinion of the Rabbis, as we learned in a mishna: There are **five categories of people who may not separate teruma**^{NH} *ab initio*, and if they separated *teruma*, their *teruma* is not considered *teruma*. They are: **A deaf-mute, an imbecile, and a minor, and one who separates teruma from produce that is not his; and a gentile who separated teruma from the produce of a Jew, even with his permission, his teruma is not considered teruma** because a gentile cannot be appointed as an agent to separate *teruma*, and all the more so he cannot separate *teruma* on his own. The deaf-mute and the minor have the same legal status according to the Rabbis; therefore, a dilemma arises as to which of them should receive the pouch on Shabbat.

מאי, לחרש יהיב ליה – דקטן אתי
לכלל דעת, או דילמא: לקטן יהיב
ליה, דחרש אתי לאחלופי בגדול
פיקח? איבא דאמרי: לחרש יהיב
ליה. איבא דאמרי: לקטן יהיב
ליה.

What should one do? Should he give it to the deaf-mute because **the minor will eventually reach the stage of halakhic intelligence**, when he will be obligated to observe the mitzvot, and it is preferable that he not become accustomed to desecrating Shabbat? **Or perhaps he should give it to the minor**, because if he is allowed to give it to the **deaf-mute**, onlookers **will mistake him for an adult with halakhic intelligence** and conclude that it is permitted to give his pouch to an adult? In that case it would be preferable to give the pouch to a minor, as it is clear that he is not obligated in mitzvot. Regarding this *halakha*, **some say that he gives it to the deaf-mute and some say that he gives it to the minor**, and no definitive conclusion was reached.

Move the pouch in increments, each less than four cubits – מוליכו פחות פחות מארבע אמות – One who is traveling with money on Shabbat eve, and has neither a gentile, nor a donkey, nor a deaf-mute, nor an imbecile, nor a minor with him at nightfall, may carry it in increments smaller than four cubits until he reaches his destination (Rambam *Sefer Zemanim, Hilkhos Shabbat* 20:7; *Shulhan Arukh, Oraḥ Hayyim* 266:7).

One places the pouch on the donkey as it is walking – מניחו עליה כשהיא מהלכת – When placing his pouch atop an animal on Shabbat, one must place it while the animal is walking and remove it when the animal stops. When the animal starts moving again he places it again. He does so to avoid performing a full-fledged act of carrying, which would consist of lifting and placing (Rambam *Sefer Zemanim, Hilkhos Shabbat* 20:6; *Shulhan Arukh, Oraḥ Hayyim* 266:2).

Any action that if one performs it by himself he is liable – כל שפגופו חייב – If one lifts an object on Shabbat and places it on another person while that person is walking, and then takes it from him before that person stops, neither person is liable, even if they were walking from one domain to another. This is because there was no full-fledged act of carrying, which would consist of lifting and placing (Rambam *Sefer Zemanim, Hilkhos Shabbat* 13:12).

NOTES

On that day they measured with a large *se'a* – בו – Tosafot understand the dispute between Rabbi Eliezer and Rabbi Yehoshua to be limited to the decree requiring one to give his pouch to a gentile on Shabbat. Others explain that the rest of the eighteen decrees were motivated by concern for ritual impurity or for violation of a prohibition. However, in this case it is possible to avoid carrying in the public domain by carrying the pouch in increments of less than four cubits. Therefore, the decree requiring one to give his pouch to a gentile can be considered an added stricture that people will not be able to fulfill and that will cause them to carry the pouch four cubits, thereby violating a Torah prohibition (Maharsha).

אין שם לא גוי ולא חמור ולא חרש ולא שוטה ולא קטן, מאי? אמר רבי יצחק: עוד אחרת היתה, ולא רצו חכמים לגלותה. מאי "עוד אחרת היתה" – מוליכו פחות פחות מארבע אמות. אמאי לא רצו חכמים לגלותה – משום "כבוד אלהים הסתר דבר וכבוד מלכים חקור דבר". והכא, מאי "כבוד אלהים" איכא? דילמא אתי לאתויי ארבע אמות ברשות הרבים.

תנא, רבי אליעזר אומר: בו ביום גדשו סאה. רבי יהושע אומר: בו ביום מחקו סאה.

תנא, משל דרבי אליעזר, למה הדבר דומה – לקופה מלאה קישואין ודילועין, אדם נותן לתוכה חרדל – והיא מחוקת. משל דרבי יהושע, למה הדבר דומה – לעריבה מלאה דבש, נותן לתוכה רימונים ופגזים – והיא מקיאה.

אמר רב: אין עמו גוי – מניחו על החמור. והלא מחמר, ורחמנא אמר "לא תעשה כל מלאכה!"

אמר רב אדא בר אבהו: מניחו עליה כשהיא מהלכת. והא אי אפשר דלא קיימא להשתין מים ולהטיל גללים, ואיכא עקירה והנחה! כשהיא מהלכת – מניחו עליה, כשהיא עומדת – נטלו הימנה. אי הכי, אפילו חברו נמי!

אמר רב פפא: כל שפגופו חייב חטאת – בחברו פטור אבל אסור. כל שחברו פטור אבל אסור – בחמור מותר לכתחלה.

The Gemara asks: If there is neither a gentile nor a donkey nor a deaf-mute nor an imbecile nor a minor there, what should one do? Rabbi Yitzhak said: There was another manner of dealing with this situation, and the Sages did not want to reveal it. The Gemara asks: To what was Rabbi Yitzhak referring when he said: There was another manner? The Gemara answers: The alternative is to move the pouch in increments, each less than four cubits,¹ and thereby carry the object in the public domain without violating a Torah prohibition. The Gemara asks: Why didn't the Sages want to reveal this alternative? The Gemara answers that it is due to the verse: "It is the glory of God to conceal a thing; but the glory of kings is to search out a matter" (Proverbs 25:2). And here, what glory of God is there in concealing this option? The Gemara answers: If one were to move the pouch in this manner, there is concern lest he come to carry the object four cubits in the public domain.

The ruling that one should give his pouch to a gentile rather than carry in increments each less than four cubits was among the eighteen decrees issued in accordance with the position of Beit Shammai, enumerated in the first chapter of tractate *Shabbat*. Sages of later generations disagreed with regard to these eighteen decrees: It was taught in a *baraita* that Rabbi Eliezer says: On that day they measured with a large *se'a*^N measurement, i.e., they did well to issue these decrees, which construct a fence around the Torah to prevent its violation. Rabbi Yehoshua said: On that very day they measured with a minimal *se'a*, i.e., because these decrees are difficult to observe, they not only will lead people to violate the decrees, but to violate Torah prohibitions as well.

It was taught in another *baraita*: The Sages articulated a parable to illustrate the opinion of Rabbi Eliezer. To what is this matter similar? It is similar to a basket full of squash and gourds into which a person places mustard seeds. Just as the basket also holds the mustard, the decree will also endure. They also articulated a parable to illustrate the opinion of Rabbi Yehoshua: To what is this matter similar? It is similar to a large bowl full of honey into which one places pomegranates and walnuts. Just as the bowl expels the honey from inside it, so too, the decree will cause Torah prohibitions to be violated.

We learned in the mishna that the Master said: When there is no gentile with him, one places the pouch on the donkey. The Gemara asks: Isn't he thereby driving a laden animal? And the Torah stated: "And the seventh day is Shabbat for the Lord your God, you shall not perform any manner of labor, neither you, nor your son, nor your daughter, nor your slave, nor your maidservant, nor your animal, nor your stranger that is within your gates" (Exodus 20:10). He is causing the prohibited labors of carrying from domain to domain and of carrying in the public domain by placing the pouch on his donkey on Shabbat.

Rav Adda bar Ahava said: One places the pouch on the donkey as it is walking,^H because in doing so he does not commit a full-fledged violation of the Torah prohibition against carrying out from domain to domain on Shabbat. A full-fledged violation consists of lifting and placing the object. Because the animal was already walking when the pouch was placed on it, the animal performed no lifting. The Gemara asks: Isn't it impossible that the animal will not stand in its place at some point after it begins walking, either in order to urinate or to defecate, and when it begins walking again there is both an act of lifting and an act of placing performed by the donkey. The Gemara answers: There is a solution to that problem. When the donkey is walking, one places the pouch on it, and when it stands, he removes it. The Gemara asks: If so, one could even place the pouch on another Jew as well, as there would be neither lifting nor placing.

Rav Pappa said: Any action that if one performs it by himself, he is liable^H to bring a sin-offering for it, if he performed it by means of another, he is exempt but it is still prohibited for him to do so. And any action that if performed by means of another, he is exempt from bringing a sin-offering but it is still prohibited for him to do so, performing the action by means of his donkey is permitted *ab initio*.

His package was resting on his shoulder – הָיְתָה: תְּחִילָתוֹ מוֹנַחַת לוֹ עַל כְּתִיפוֹ. Here the Gemara does not suggest the solution of carrying the package in increments of less than four cubits, because the Gemara is discussing a large package, which would make it difficult for the person carrying it to stop so frequently (*Me'iri*). The Sages did not permit running with one's pouch as they did with a package, because the weight of the package would serve as a conspicuous reminder to continue running. Since a pouch is small, there is concern that even if he ran with it he might forget and end up carrying it in the usual manner (Rambam).

When he performs an action with his body – דְּעֵבִיד מַעֲשֵׂה בְּגוֹפִיהָ: There is a fundamental rule throughout the Torah that one is liable to be punished only for violating prohibitions that he himself performed. Although in monetary matters one is liable for damage caused by his animal, that liability does not extend to corporal or capital punishment.

The prohibition of driving a laden animal – לֹא: דְּמַחְמֵר. The essence of the Gemara's question here is based on the assumption that a Shabbat prohibition for which one does not incur severe punishment is certainly not one of the standard prohibited labors, but rather one that is independent of the standard prohibited labors. Therefore, it is reasonable to posit that this exceptional prohibition is the prohibition of performing labor by means of an animal on Shabbat. Even in rejecting the difficulty raised, the Gemara identifies other anomalous Shabbat prohibitions, e.g., going beyond the Shabbat limits, or kindling a fire according to the opinion of Rabbi Yosei.

HALAKHA

His package was resting on his shoulder – הָיְתָה: תְּחִילָתוֹ מוֹנַחַת לוֹ עַל כְּתִיפוֹ. One who is carrying a package on his shoulder when Shabbat begins should run home with the package. This is permitted only if he runs; walking with the package in his usual manner is prohibited, lest he forget that it is Shabbat and perform the prohibited labor of carrying by lifting and placing. When he reaches his home, he throws the package down in an unusual manner, by dropping it behind him off his shoulder, because in that way he does not perform an act of placing prohibited by Torah law (Rambam *Sefer Zemanim, Hilkhos Shabbat* 13:9; *Shulhan Arukh, Orah Hayyim* 266:11).

One who desecrates Shabbat – הַמַּחֲלֵל אֶת הַשַּׁבָּת: One who desecrates Shabbat unwittingly is liable to bring a sin-offering. If he did so intentionally he is punishable by *karet*, and if there are witnesses and forewarning, he is liable to be executed by stoning (Rambam *Sefer Zemanim, Hilkhos Shabbat* 1:1).

אָמַר רַב אֲדָא בַּר אֲהָבָה: הָיְתָה תְּחִילָתוֹ מוֹנַחַת לוֹ עַל כְּתִיפוֹ – רַץ תַּחְתָּיהָ עַד שְׂמִינֵי לְבִיתוֹ. דּוֹקָא רַץ. אֲבָל קָלִי קָלִי – לֹא.

מָאִי טַעְמָא? בִּין דְּלִית לֵיהּ הִיכָרָא – אֲתִי לְמֵיעַבַּד עֲקִירָה וְהַנָּחָה, סוֹף סוֹף, כִּי מָטָא לְבִיתֵיהּ אִי אֶפְשָׁר דְּלֹא קָאִי פּוֹרְתָא, וְקַמְעִיל מְרֻשָׁתֵּי הָרַבִּים לְרֻשָׁתֵּי הָעִירִיד; דְּזָרִיק לֵיהּ בְּלֹא חֵרָא יָד.

אָמַר רָמִי בַּר חָמָא: הַמַּחְמֵר אַחֵר בְּהֶמְתּוֹ בַּשַּׁבָּת, בְּשׁוּגָג – חַיִּיב חֲטָאת, בְּמִזִּיד – חַיִּיב סְקִילָה. מָאִי טַעְמָא? אָמַר רַבָּא: דְּאָמַר קָרָא "לֹא תַעֲשֶׂה כָּל מְלָאכָה אַתָּה וּבְהֶמְתְּךָ" בְּהֶמְתּוֹ דּוּמְיָא דִּידֵיהּ, מָה הוּא – בְּשׁוּגָג חַיִּיב חֲטָאת, בְּמִזִּיד חַיִּיב סְקִילָה, אִף בְּהֶמְתּוֹ נִמְי, בְּשׁוּגָג – חַיִּיב חֲטָאת, בְּמִזִּיד – חַיִּיב סְקִילָה.

אָמַר רַבָּא: שְׁתֵּי תְּשׁוּבוֹת בְּדָבָר; חֲדָא: דְּכָתִיב "תּוֹרָה אַחַת יִהְיֶה לָכֶם לַעֲוֹשָׁה בְּשׁוּגָגָה וּבְהֶנֶּפֶשׁ אֲשֶׁר תַּעֲשֶׂה בְּיַד רָמָה" הוֹקְשָׁה כָּל הַתּוֹרָה כּוֹלָה לַעֲבוּדָה זָרָה, מָה עֲבוּדָה זָרָה – דְּעֵבִיד מַעֲשֵׂה בְּגוֹפִיהָ, הֵכָא נִמְי – עַד דְּעֵבִיד מַעֲשֵׂה בְּגוֹפִיהָ.

וְעוֹד, תַּנּוּן: הַמַּחֲלֵל אֶת הַשַּׁבָּת בְּדָבָר שְׁחִיבִין עַל שְׁגָגָתוֹ חֲטָאת וְעַל זְדוּנָה סְקִילָה, מְכַלֵּל דְּאִיבָא מִיַּד דְּאִין חַיִּיבִין עַל שְׁגָגָתוֹ חֲטָאת וְלֹא עַל זְדוּנָה סְקִילָה.

וּמָאִי נִהָג, לֹא דְּמַחְמֵר? לֹא, תַּחֲוּמִין וְאִלִּיבָא דְּרַבִּי עֲקִיבָא, וְהִבְעֵרָה אִלִּיבָא דְּרַבִּי יוֹסִי.

Rav Adda bar Ahava said: One who was traveling on Shabbat eve and his package was resting on his shoulder^{NH} as night fell, he runs beneath it, i.e., with his package on his shoulder, until he reaches his home. The Gemara infers: Specifically one runs until he reaches home; however, walking a little bit at a time, no, he may not do so.

The Gemara asks: What is the reason for this? Since, when walking in the usual manner, he has no conspicuous reminder that it is Shabbat, there is concern lest he come to perform the acts of lifting and placing by stopping to rest on his way home. The Gemara asks: Ultimately, when he reaches his home, it is impossible that he will not stop and stand a bit, and at that point, he will have performed the prohibited labor of carrying the package from the public domain into the private domain of his house. The Gemara answers: This is referring to a case in which he does not place the package in the typical manner when he reaches his home. Rather, he throws it down in an unusual manner. Since he did not perform the action in the typical manner, it is not prohibited by Torah law.

With regard to the topic of driving a donkey on Shabbat, the Gemara cites that which Rami bar Hama said: With regard to one who drives his laden animal on Shabbat, if he does so unwittingly, he is liable to bring a sin-offering, and if he does so intentionally, he is liable to be executed by stoning. The Gemara asks: What is the reason for this ruling? Rava said that the verse states: "You shall not perform any manner of labor, neither you... nor your animal" (Exodus 20:10). From this he derived: His animal is similar to himself; just as he, if he performed a prohibited labor on Shabbat unwittingly, he is liable to bring a sin-offering, and if he did so intentionally, he is liable to be executed by stoning, so too, if he performed a prohibited labor by means of his animal, if he did so unwittingly, he is liable to bring a sin-offering, and if he did so intentionally, he is liable to be executed by stoning.

Rava said: There are two possible responses with which this statement can be rejected. One is, as it is written: "You shall have one law [Torah] for him that does unwittingly... and for the proselyte who resides among them. But the soul that does with a high hand, whether he be home-born or a stranger, he blasphemes the Lord; and that soul shall be cut off from among his people" (Numbers 15:29–30). This verse is referring to one who worships idolatry unwittingly. The entire Torah is juxtaposed to idolatry, and from that juxtaposition it is derived: Just as in the case of idolatry one is liable only when he performs an action with his body,^N i.e., himself, here too, in the case of Shabbat, he is liable only if he performs an action with his body, i.e., himself. He is not liable for an action performed by his animal.

And furthermore, with regard to the statement that if he drove the laden donkey he is liable to be executed by stoning, we learned in a mishna that enumerates those who are executed by stoning: One who desecrates Shabbat^H by performing a matter that for its unwitting performance one is liable to bring a sin-offering, and for its intentional performance one is liable to be executed by stoning. By inference, there is another matter, another prohibition, that for which its unwitting performance one is not liable to bring a sin-offering, and for which its intentional performance one is not liable to be executed by stoning.

And what is that Torah prohibition? Is it not the prohibition of driving a laden animal?^N Apparently, driving a laden animal and other labors performed by means of animals on Shabbat are not punishable by stoning, even though they are prohibited by Torah law. The Gemara rejects this second proof. No, this is not necessarily so. It is possible that the mishna is referring to the prohibition of Shabbat limits, and it is in accordance with the opinion of Rabbi Akiva, who holds that it is a Torah prohibition but that one is neither liable to bring a sin-offering for violating it unwittingly, nor is he liable to be executed by stoning for violating it intentionally. And likewise, it may refer to the prohibition of kindling a fire on Shabbat in accordance with the opinion of Rabbi Yosei, who holds that it is not punishable by stoning but by lashes, like other prohibitions.

רב זביד מתני הכי, אמר רמי בר חמא:
המחמר אחר בהמה בשבת, בשוגג – אינו
חייב תפלת, במזיד – חייב סקילה.

מתיב רבא: המחלל את השבת בדבר
שחייבין על שגגתו תפלת – חייבין על זדונו
סקילה. הא אין חייבין על שגגתו תפלת –
אין חייבין על זדונו סקילה!

מי קתני "הא אין חייבין כו"? הכי קאמר:
דבר שחייבין על שגגתו תפלת – חייבין
על זדונו סקילה, ויש דבר שאין חייבין על
שגגתו תפלת – וחייבין על זדונו סקילה,
ומאי ניהו – מחמר.

רבא אחיה דרב מרי בר רחל, ואמרי לה
אביה דרב מרי בר רחל ללישנא בתרא
קשיא, הא דרב אבשריה לרב מרי בר רחל
ומנייה בפורסיה דבבל. דילמא תרי מרי
בר רחל הוו.

הוה מתני לה להא שמעתייה משמיה דרבי
יוחנן לפטור; אמר רבי יוחנן: המחמר אחר
בהמתו בשבת – פטור מכלום.

Rav Zevid taught this as follows. Rami bar Hama said: With regard to one who drives his laden animal on Shabbat,¹⁴ if he does so unwittingly, he is liable to bring a sin-offering, and if he does so intentionally, he is liable to be executed by stoning.

Rava raised an objection based on that which was taught in a *baraita*: One who desecrates Shabbat by performing a matter that for its unwitting performance one is liable to bring a sin-offering, then for its intentional performance one is liable to be executed by stoning. The Gemara explains: By inference, for a matter that for its unwitting performance one is not liable to bring a sin-offering, for its intentional performance one is not liable to be executed by stoning. This contradicts Rami bar Hama's statement.

The Gemara answers: Was it taught in the *baraita*: By inference, for a matter that for its unwitting performance one is not liable to bring a sin-offering, for its intentional performance one is not liable to be executed by stoning? The *baraita* can be understood differently, and this is what it is saying: With regard to a matter that for its unwitting performance one is liable to bring a sin-offering, for its intentional performance one is always liable to be executed by stoning. However, there is also a matter that for its unwitting performance one is not liable to bring a sin-offering, and nevertheless, for its intentional performance one is liable to be executed by stoning. And what is that case? It is the case of driving a laden animal.

Rava, the brother of Rav Mari bar Raḥel,¹⁵ cites a different opinion with regard to the *halakha* of driving a laden animal on Shabbat, and some say that he was the father of Rav Mari bar Raḥel and stated this *halakha*. As an aside, the Gemara comments: According to the latter version above, that Rava was the father of Rav Mari bar Raḥel, the fact that Rav needed to validate the status of Rav Mari bar Raḥel¹⁶ and only then appoint him as an official [*purse*]¹⁷ of Babylonia is difficult. This incident teaches that Rav Mari bar Raḥel's father was not Jewish, and before he could be appointed his status required validation through the fact that his mother was Jewish. If Rav Mari bar Raḥel's father was a sage named Rava, why was it necessary to validate his status by means of his mother's lineage? The Gemara answers: Perhaps there were two people named Mari bar Raḥel. One was the son of a convert and a Jewish mother, and the other was the son of a Sage named Rava.

In any event, that Sage taught his *halakha* in the name of Rabbi Yoḥanan to exempt one who drives a laden animal, as Rabbi Yoḥanan said: One who drives a laden animal on Shabbat is exempt from any punishment.

HALAKHA

Working with one's animal on Shabbat – עבודה – It is prohibited to have an animal carry out a burden on Shabbat, as it is stated: "That your ox and your donkey may rest" (Exodus 23:12). One who has his animal carry out a burden on Shabbat does not receive lashes, because it is a prohibition that stems from a positive commandment and he is only liable to receive lashes for violating a negative commandment. One who drives a laden animal on Shabbat is exempt, because he did not perform the prohibited labor himself. However, it is still prohibited to do so (Rambam *Sefer Zemanim, Hilkhos Shabbat* 20:1).

NOTES

Rav needed to validate the status of Rav Mari – אבשריה לרב מרי דרב: The Sages interpreted the verse: "From among your brethren you shall set yourself a king" (Deuteronomy 17:15), to mean that only one born Jewish can be crowned king or appointed to any other position of authority. Even a convert, who is a full-fledged Jew and obligated in all of the mitzvot, cannot be appointed to those positions. Rav ruled that one born to a Jewish mother and a non-Jewish father can be appointed to positions of authority other than king.

LANGUAGE

Official [*purse*] – פורסיה: From the Greek ἑφορος, *eforos*, meaning supervisor, official, or clerk.

PERSONALITIES

Rav Mari bar Raḥel – רב מרי בר רחל: He is also called Rav Mari, son of Shmuel's daughter, and was a Babylonian *amora* in the generation of Rava. Rav Mari's unusual appellation can be understood in the context of Shmuel's family history. Shmuel's daughters were abducted and two of them were brought to Eretz Yisrael, where one was taken by a gentile who later converted. He was known as Issur the convert and was a confidant of the prominent Jewish leaders of the generation in Babylonia. His son Rav Mari is attributed genealogically to his mother, rather than to his father, since Issur converted after Rav Mari was conceived. Other Sages born to well-known mothers from prominent families were also known

by their mothers' names, unrelated to problematic lineage. Since Rava is a combination of the title, Rav, and the name, Abba, Rav Mari could not have been both the son of the Sage Rava and the son of Issur the convert. The version that identifies his father as Rava is referring to a different Rav Mari bar Raḥel, who was known by the name of his mother for a different reason.

Rav Mari the son of Shmuel's daughter was apparently a wealthy merchant, in addition to being a prominent Sage worthy of being appointed as an official in Babylonia. Rav Mari had three sons who were Sages: Rav Aḥa Sabba, Mar Zutra, and Rava bar Rav Mari.

A prohibition that was given as a warning of court-imposed capital punishment – לאו שניתן לאזהרת מיתת בית דין: In principle, one who violates a Torah prohibition after being forewarned by witnesses is flogged with forty lashes. However, there are certain categories of prohibitions for which one is not punished with lashes. One such type is called a prohibition that was given as a warning of court-imposed capital punishment. In other words, a prohibition whose punishment is explicitly articulated in the Torah as court-imposed capital punishment is excluded from the punishment of lashes. This is patently clear in a case where one is actually sentenced to death. Based on the principle that two punishments are not imposed for one transgression, the one being punished receives the more severe punishment, i.e., execution. The same principle applies to a case where the death sentence cannot be administered for some reason, e.g., where there was no forewarning. Since this prohibition possesses an element of the death penalty, it is classified as a prohibition that was given as a warning of court-imposed capital punishment, and there is no possibility of punishment by lashes.

בשוגג לא מחייב חטאת – דהוקשה כל התורה כולה לעבודה זרה. במזיד נמי לא מחייב – דתנן: המחליל את השבת בדבר שחייבין על שגגתו חטאת ועל זדונו סקילה. הא אין חייבין על שגגתו חטאת – אין חייבין על זדונו סקילה.

בלאו נמי לא מחייב, דהיה ליה לאו שניתן לאזהרת מיתת בית דין, וכל לאו שניתן לאזהרת מיתת בית דין – אין לוקין עליו.

The Gemara explains: For driving the animal **unwittingly**, he is **not liable** to bring a **sin-offering** because **all** of the prohibitions in the Torah were juxtaposed to the prohibition of idolatry, from which the principle is derived that one is liable only for actions that he himself performed. And for driving the animal **intentionally**, he is **also not liable** to be executed by stoning, as we learned in the mishna: **One who desecrates Shabbat by performing a matter that for its unwitting performance one is liable to bring a sin-offering, and for its intentional performance one is liable to be executed by stoning.** By inference, for a matter that for its unwitting performance one is **not liable** to bring a sin-offering, for its intentional performance one is **not liable** to be executed by stoning.

And similarly, he is **not** even liable to be flogged for violating a Torah prohibition for which the punishment is lashes. Even though the Torah explicitly warns against performing labor on Shabbat, it is a prohibition that was fundamentally given, not as a standard prohibition punishable by lashes, but rather as a warning of court-imposed capital punishment, and for any prohibition that was given as a warning of court-imposed capital punishment,^N if the death penalty is not imposed for any reason, **one is not flogged** for its violation.

Perek XXIV Daf 154 Amud b

HALAKHA

If one's animal was laden with glass vessels – היתה בהמתו – טעונה כלי זכוכית: If one's animal is laden with glass vessels that are set-aside on Shabbat, e.g., a blood letter's horns, it is permitted to place cushions and blankets beneath the animal and allow the bags containing the vessels to fall on their own. However, he may do so only in a case where the glass vessels are small, enabling him to remove the cushions and blankets, so that the preparedness of the cushions and the blankets is not negated by the set-aside objects. If there are large chunks of glass on the animal, one allows them to fall on the ground and break, because the Sages are not concerned about the minimal loss incurred (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:10; *Shulhan Arukh*, *Orah Hayyim* 266:9).

NOTES

Horns of a blood letter – קרני דאומנא: According to most commentaries, this is referring to vessels already used for bloodletting that are therefore repulsive and not suitable for any use, not even to cover another vessel (Rashba). In that case, even Rabbi Shimon would agree that they are set-aside. Others explain that these vessels are set-aside due to monetary loss. Since they are designated for bloodletting, their owner treats them with extreme care and does not use them for any other purpose (*Tosefot Rid*).

ואפילו למאן דאמר לוקין ליכתוב רחמנא "לא תעשה כל מלאכה ובהמתך", "אתה" למה לי? הוא יהיה דמחייב, בהמתו – לא מחייב.

"הגיע לחצר החיצונה". אמר רב הונא: היתה בהמתו טעונה כלי זכוכית – מביא כרים וכסתות ומניח תחתיה, ומתיר החבלים והשקין נופלים.

והאנן תנן: נוטל את הכלים הניטלין בשבת!

ביקאמר רב הונא – בקרני דאומנא, דלא חזיא ליה. והא קא מבטל כלי מהיכנו! בשלימי ווטרי.

And even according to the one who said that one is flogged for violating a prohibition that was given as a warning of court-imposed capital punishment, the *halakha* with regard to driving a laden animal can be derived by means of an inference from the language of the verse. **Let the Torah write: "You shall not perform any manner of labor... and neither shall your animal."** Why do I need the superfluous word **you** in the phrase: You and your animal? Rather it is to teach that it is **he himself who is liable** for performing a prohibited labor on Shabbat; however, for a prohibited labor performed by **his animal**, he is **not liable**.

We learned in the mishna: Once **he reached the outer courtyard**, he may untie the ropes that attach his bags to the donkey, and the bags of vessels that may not be moved on Shabbat fall on their own. Rav Huna said: If one's animal was laden with glass vessels,^H which would break if he let them fall to the ground, he may bring cushions and blankets and place them beneath the animal and untie the ropes and let the bags fall onto the cushions.

The Gemara asks: Why is it necessary to unload glass vessels in so complicated a manner? Didn't we learn in the mishna: **He takes the vessels that may be moved on Shabbat off the donkey?** As glass vessels fall into that category, why not simply remove the glass vessels and then untie the bags?

The Gemara answers: When Rav Huna stated this *halakha*, he was referring to the horns of a blood letter,^N which are not suitable for any other purpose and are therefore set-aside on Shabbat due to prohibition and repulsiveness. The Gemara asks: Isn't he thereby negating a vessel's preparedness? Initially, the cushion was available for any use. Since it now has the set-aside vessels on it, the cushion, too, may no longer be moved. The Sages ruled that one may not place a vessel in a circumstance that will render it prohibited to move. The Gemara answers: This mishna is referring to small bundles of glass vessels that will not break if the cushions are subsequently removed from beneath them.

מיתבי: היתה בהמתו טעונה טבל ועשיות – מתיר את החבלים והשקין נופלין, ואף על פי שמשבתברין. התם כבולסא. דיקא נמי דקתני דומיא דטבל. מה טבל – דלא חזי ליה, אף הכא נמי – לא חזי ליה.

ומאי אף על פי שמשבתברין – מהו דתימא: להפסד מועט נמי חששו, קא משמע לן.

תנא, רבי שמעון בן יוחי אומר: היתה בהמתו טעונה שליוף של תבואה – מניח ראשו תחתיה, ומסלקו לצד אחר, והוא נופל מאליה.

חמורו של רבן גמליאל היתה טעונה דבש ולא רצה לפורקה עד מוצאי שבת, למוצאי שבת מתה. והאנן תנו: נוטל כלים הניטלין! כשהדבש. הדבש למאי חזי? לכתיתא דגמלי.

ויתיר חבלים ויפלו שקין! מיצטרו זיקי. ויביא כרים וכסתות ויניח תחתיהן! מטנפי, וקמבטל כלי מהיכנו. והאיכא צער בעלי חיים! קסבר: צער בעלי חיים דרבנן.

אביי אשכחיה ליה לרבה דקא משפשף ליה לבריה אגבא דחמרא. אמר ליה: קא משתמש מר בבעלי חיים! אמר ליה: צדין הן, וצדין לא גזרו בהו רבנן. מנא תימרא – דתנן: מתיר חבלים והשקין נופלין. מאי לאו בחבר גזילקי, דהו להו צדין, וצדין לא גזרו בהו רבנן.

The Gemara raises an objection based on that which was taught in a *baraita*: If one's animal was laden with untithed produce^N and chunks of glass [*ashashiot*],^N one unties the ropes and the bags fall on their own, even though they break. Apparently, placing cushions beneath the animal is prohibited. The Gemara answers: There, the *baraita* is not referring to vessels but rather to chunks [*kulsa*]^L of glass that are designated to be broken so that they can be melted and crafted into vessels. The Gemara adds: The language of the *baraita* is also precise, as it teaches that chunks are similar to untithed produce: Just as untithed produce is not fit for his use, here too, the chunks are also not fit for his use.

The Gemara explains: And what is the meaning of the phrase: Even though they break? If the mishna is indeed referring to chunks of glass, they are designated to be broken. Rather, lest you say that the Sages were also concerned about a minimal loss, as certainly some small slivers of glass will be lost when the chunks fall and break, the *tanna* in the *baraita* teaches us that the Sages did not consider minimal loss a reason significant enough to permit carrying the prohibited glass.

It was taught in a *baraita* that Rabbi Shimon ben Yoḥai says: If one's animal was loaded with a burden of untithed grain, he may place his head beneath the pile and move it^N to a different side of the animal, and it falls by itself. The Sages prohibited moving set-aside objects in the typical manner, but there is no concern about doing so in an unusual manner.

The Gemara relates: Rabban Gamliel's donkey was laden with honey^H and he did not want to unload the donkey until the conclusion of Shabbat. At the conclusion of Shabbat, the donkey died of fatigue. The Gemara asks: Didn't we learn in the mishna: He takes the vessels that may be moved on Shabbat off the donkey? Why, then, did Rabban Gamliel not unload the honey? The Gemara answers: This is a case where the honey had spoiled. The Gemara asks: For what use is spoiled honey suited? Why did Rabban Gamliel bring it? The Gemara answers: It can be used to rub on the wounds of camels.

The Gemara asks: And let Rabban Gamliel untie the ropes and the bags will fall on their own. The Gemara answers: It was due to the concern that the jugs containing the honey would crack. The Gemara asks: And let him bring cushions and blankets and place them beneath the jugs. The Gemara answers: He was concerned lest they become soiled and he would thereby negate the vessel's preparedness, i.e., the cushions and blankets would be rendered unusable. The Gemara asks: Isn't there the matter of the suffering of a living creature?^H He should suffer monetary loss rather than cause the animal to suffer. The Gemara answers: Rabban Gamliel holds that causing a living creature to suffer is prohibited not by Torah law but rather by rabbinic law. Therefore, he need not suffer monetary loss due to the rabbinic prohibition (Ramban).

The Gemara relates: Abaye found Rabba sliding his son on the back of a donkey on Shabbat to entertain him. He said to him: The Master is making use of living creatures on Shabbat,^N and the Sages prohibited doing so. Rabba said to him: I placed my son on the side of the donkey, and as they are sides, the Sages did not issue a decree prohibiting making use of them. From where do you say that this is so? As we learned in the mishna: One may untie the ropes and the bags fall on their own. What, is it not referring to a case where one attached the bags by means of *guvalaki*,^{LB} where the bags are strapped to the animal and the only way to loosen them involves leaning against the sides of animal in order to unstrap them? That is because it is a case of making use of the sides, and the Sages did not issue a decree prohibiting making use of an animal's sides.

NOTES

Untithed produce – טבל: The parallel between untithed produce and chunks of glass is clear. Just as untithed produce requires an additional step in order to render it usable, so too, the glass has no function in its present state and one must melt and blow it in order to render it usable (Ramban).

Chunks of glass [*ashashiot*] – עשיות: The Hebrew word *ashashit* has two meanings. One meaning is a translucent glass lantern. The other meaning is a large chunk of raw material, not necessarily glass. It was necessary for the Gemara to explain that in this context the reference is to the second meaning.

He may place his head beneath the pile and move it – מניח ראשו תחתיה, ומסלקו: Even though moving set-aside items is prohibited in any manner, it is permitted in this case because it involves moving the items in an unusual manner, and failure to move them would cause suffering to a living creature (Rashba).

Making use of living creatures on Shabbat – שימוש בבעלי חיים: It is prohibited to make use of animals on Shabbat, even when it involves neither a Torah prohibition nor a violation of the mitzva to rest one's animal. Due to a decree of the Sages, it is also prohibited to make use of trees on Shabbat, lest one break off a branch either for the benefit of tree itself or for use as an animal prod. The Sages disputed the scope of this decree. Does it extend to the sides of the tree or the animal, i.e., using the tree or animal in an unconventional way, or is it limited to using them in the conventional manner?

LANGUAGE

Chunks [*kulsa*] – כולסא: The correct version of this word is *bulsa* (Arukh), from the Greek βῶλος, *bolos*, meaning a chunk, a clod of earth, or a metal bar.

Guvalaki – גוולקי: From the Iranian *jūwalak*, meaning sack or knapsack.

HALAKHA

An animal laden with a heavy load – בהמה הטעונה: One whose animal is laden with a heavy burden on Shabbat may unload it by shifting the items to the other side of the animal and allowing them to fall on their own. This ruling is in accordance with the opinion of Rabbi Shimon ben Yoḥai, as the *halakha* with regard to the suffering of living creatures is not in accordance with the opinion of Rabban Gamliel (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:10; *Shulḥan Arukh*, *Orah Ḥayyim* 266:9).

Suffering of a living creature – צער בעלי חיים: It is prohibited by Torah law to cause a living creature to suffer. This is a factor that must be always taken into consideration (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:10; *Shulḥan Arukh*, *Orah Ḥayyim* 266:9).

BACKGROUND

One attached by means of *guvalaki* – חבר גוולקי: In this method, the bags are attached and it is impossible to remove the bags merely by untying the ropes. One must lean on the donkey in order to lift up the bags.



Guvalaki method of attaching bags

BACKGROUND

One who attached by means of *agalavki* – חבר אגלוּקִי: In this method, the bags are attached by means of a strap. Each bag can be removed individually by detaching it from its strap and it is not necessary to lean against the donkey.



Agalavki method of attaching bags

HALAKHA

A *sukka* that is attached to a tree – סוכה המחוברת באילן – A *sukka* whose walls are made in trees is valid. However, if it is constructed so that the *sukka* could not stand were the tree not there, one may not enter it on the first day of the *Sukkot* festival due to the prohibition against making use of trees on a Festival. However, he may enter the *sukka* during the intermediate days of the Festival, except on Shabbat (Rambam *Sefer Zemanim, Hilkhot Shofar VeSukka VeLulav* 4:6; *Shulhan Arukh, Orah Hayyim* 628:3).

NOTES

שלוש בידי – Three walls built by a person and one on a tree – אדם ואחת באילן: The precise meaning of this case is subject to dispute. Some hold that it refers to roofing resting partially atop the tree (Rashi, *Tosafot*, and others), and this was prohibited because it was common to place objects atop the roofing. Another opinion states that this is referring to a case where one elevated the walls of the *sukka*, and the floor of the *sukka* is resting partially on the tree and partially on the ground (Rashi in tractate *Sukka*; *Tosefta Rid*).

LANGUAGE

Branches [*gavaza*] – גַּוְזָא: From the early Iranian language Avestan, in which this word appears as *gawāza* and means a shepherd's staff.

לא, בחבר אגלוּקִי, דלא הוּו צדדין. אי נמי, בלפתא.

איתיביה: שתים בידי אדם ואחת באילן – בשעה, ואין עולין לה ביום טוב. מאי לאו – דחק ביה באילן, דהוּו צדדין וצדדין אסורין!

לא, דכפיה לאילן ואנח סיבוג עילויה, דקמשמש באילן. אי הכי, אימא סיפא: שלש בידי אדם ואחת באילן – בשעה, ועולין לה ביום טוב. ואי דכפיה לאילן – אמאי עולין לה ביום טוב?

ואלא מאי – צדדין אסורין? סוף סוף, אמאי עולין לה ביום טוב? אלא: התם בגוואזא פרסכנא. דאילן גופיה דופן בעלמא הוא דשוויה. דיקא נמי, דקתני, זה הכלל: כל אילו שניטל האילן ויכולה לעמוד – עולין לה ביום טוב, שמע מינה.

לימא בתנאי אין עולין לה ביום טוב רבי שמעון בן אלעזר אומר משום רבי מאיר: עולין לה ביום טוב. מאי לאו, בהא קמיפלגי, דמר סבר: צדדין אסורין, ומר סבר: מותרין?

אמר אביי: לא, דכולי עלמא צדדין אסורין, והכא בצדי צדדין קמיפלגי: מר סבר: צדי צדדין אסורין, ומר סבר: צדי צדדין מותרין.

רבא אמר: מאן דאסר בצדדין – אסר נמי בצדי צדדין, מאן דשרי בצדי צדדין – שרי נמי בצדדין. איתיביה רב משרשיא לרבא: נעץ

Abaye answered: No, this is a case where one attached the bags by means of *agalavki*,⁸ i.e., where the bags were not tightly strapped to the animal, but rather attached by means of a hook. In such a case, there is no need to make use of the sides of the animal in order to unhook the strap. Alternatively, the bags were tied to the sides of the animal with a rope, which could likewise be untied with ease and without leaning against the animal.

Abaye raised an objection to Rabba's opinion based on that which was taught in a mishna: A *sukka* that had two of its walls on the ground, built by a person, and one wall on a tree⁹ is valid and can be used to fulfill the mitzva of *sukka*. However, one may not enter it on the festival day of *Sukkot* because it is prohibited to use trees rooted in the ground on Shabbat or a Festival. What, is this not referring to a case where one carved a hole in the tree and inserted a beam into the hole for support, in which case these are sides of the tree that are being used, and apparently, using the sides of the tree is prohibited?

Rabba rejected this: No, it is referring to a case where one bent the tree over and placed the roofing atop it, as in that case, he is making use of the tree itself and not its sides. Abaye asked: If so, say the latter clause of the mishna: If there are three walls built by a person and one on a tree,¹⁰ it is a valid *sukka* and one may enter it on a Festival. And if one bent a tree and placed the roofing atop it, why may one enter it on a Festival?

Rabba rejected this question: Rather, what would you say? Making use of sides is prohibited. If so, the same problem still exists, why is the *sukka* fit for use in the latter case? Ultimately, why may one enter it on a Festival? Rather, there it is referring to a case where the branches [*gavaza*]¹¹ are spread out and where one made the tree itself into a wall, not where he leaned a wall against it. The language of the mishna is also precise. The wall may not be used if it is an integral part of the *sukka*, meaning that it is one of the three required walls. However, if it serves as a fourth wall, one may use the *sukka* on a Festival as it is taught that this is the principle: In any case where if the tree was taken the *sukka* would still be able to stand, one may enter it on a Festival. Then it is clear that the walls are not leaning against the tree; rather, the tree itself serves as a wall. The Gemara says in summary: Learn from here that this is so.

The Gemara suggests: Let us say that these *amora'im* disagree in a dispute parallel to a dispute between *tanna'im* with regard to making use of the sides of a tree, as it was taught in the *Tosefta*: One may not enter a *sukka* whose walls are leaning against a tree on a Festival. Rabbi Shimon ben Elazar says in the name of Rabbi Meir: One may enter it on a Festival. What, is it not that they are disagreeing about this issue, as this Master, meaning the Rabbis, holds that making use of the sides is prohibited, and this Master, Rabbi Meir, holds that they are permitted?

Abaye said: No. Everyone agrees that the sides are prohibited, and it is with regard to the sides of the sides, i.e., not a wall leaning against the tree itself, but a wall that is supported by a beam that is placed in the hole carved in the tree, that they disagree. This Master, meaning the Rabbis, holds that the sides of the sides are prohibited, and this Master, Rabbi Meir, holds that the sides of the sides are permitted.

Rava said: The one who prohibited making use of the sides also prohibited making use of the sides of the sides, and the one who permitted making use of the sides also permitted making use of the sides of the sides. Rav Mesharshiyya raised an objection to the opinion of Rava: If one drove

יתד באילן ותלה בה בלבלה, למעלה מעשרה טפחים – אין עירוב עירוב, למטה מ' טפחים – עירוב עירוב.

טעמא – דנעץ יתד באילן, הא לא נעץ – אפילו למטה מ' טפחים אין עירוב עירוב. והא האי תנא, דקאסר בצדדן וקשרי בצדי צדדן!

אמר רב פפא: הכא בכלכלה דחוקה עסקינן, דבהדי דשקיל ליה לעירוב – קמניד ליה לאילן, וקמשמש באילן גופיה. והלכתא: צדדן – אסורין, צדי צדדן – מותרין.

אמר רב אשי: השתא דאמרת "צדדן אסורין", האי דרגא דמדלא – לא לינחיה איניש אדיקלא, דהוה להו צדדן. אלא לינחיה אגוואזי לבר מדקלא, וכי סליק – לא לינח פריעה אגוואזי, אלא ליתנח אקנין.

מתני' מתירין פקיעי עמיר לפני בהמה, ומפספסין את הכיפין, אבל לא את (א) הזירין. אין מרסקין לא את השחת ולא את החורבין לפני בהמה, בין דקה ובין גסה. רבי יהודה מתיר בחורבין לדקה.

גמ' אמר רב הונא: הן הן פקיעין, הן הן כיפין. פקיעין – תרי, כיפין – תלתא (ב). זירין – דארגי, והכי קאמר: מתירין פקיעי עמיר לפני בהמה ומפספסין, והוא הדין לכיפין. אבל לא את הזירין – לא לפספס ולא להתיר. אמר רב חסדא: מאי טעמא דרב הונא – קא סבר: למטרע באובלא – טרחינן, לשויי אובלא – לא משוינן.

a stake in a tree and hung a four-by-four handbreadth basket from it into which he placed the food for his joining of the Shabbat boundaries, if the basket was above ten handbreadths from the ground, his *eiruv* is not a valid *eiruv*. It is prohibited for him to take the bread from the basket on Shabbat, because the basket's area and height render it a private domain, and he is standing in a different domain. If the basket was below ten handbreadths from the ground, his *eiruv* is a valid *eiruv*.^N

The Gemara examines this statement: **The reason** for this distinction between above and below ten handbreadths is specifically because **he drove a stake into a tree** and hung the basket from it. **However, if he did not drive a stake into a tree, but tied the basket to the tree itself, even if it was below ten handbreadths from the ground his *eiruv* is not a valid *eiruv*.** If he were to take the bread from the basket he would be making use of the sides of the tree, which is prohibited on Shabbat. **And isn't it the case that this is the *tanna* who prohibits using the sides of the tree, and nevertheless, he permits using the sides of the sides,**^H contrary to Rava's opinion?

Rav Pappa said: Here, we are dealing with a narrow-mouthed basket that is tightly tied to the tree. Since it is difficult to remove anything from it, **when he takes the bread for the *eiruv* he moves the tree, and he is thereby using the sides of the tree itself** and not the sides of the sides of the tree. The Gemara concludes: **And the *halakha* is that use of the sides of a tree or an animal is prohibited on Shabbat, but use of the sides of the sides is permitted.**^N

Rav Ashi said: Now that you said that the *halakha* is that use of the sides is prohibited, with regard to this ladder that one climbs to an elevated area, **a person may not lean it against the palm tree itself because it is considered use of the sides of the tree on Shabbat. Rather, he should lean it on stakes that are external to the trunk of the palm tree. And when one climbs the ladder, he should not place his foot on the stakes. Rather, he should place it on the rungs of the ladder because it is prohibited to use the sides of the tree.**

MISHNA One may untie *peki'in* of grain before an animal on Shabbat, and one may spread the *kifin*^H but not the *zirin*. These terms will be explained in the Gemara. **One may not crush hay or carobs^H before an animal on Shabbat in order to facilitate its eating. He may do so neither for a small animal [*daka*] nor for a large one. Rabbi Yehuda permits to do so with carobs for a small animal, because it can swallow the hard carobs only with difficulty.**

GEMARA Rav Huna said: They are called *peki'in* and they are also called *kifin*. The difference between them is that *peki'in* are tied with two knots, whereas *kifin* are tied with three.^N *Zirin*, which may not be moved on Shabbat, are bundles of cedar branches^N eaten by animals when the branches are small and moist. **And this is what the mishna is saying: One may untie *peki'in* of grain before an animal and spread them, and the same is true for *kifin*, but not for *zirin*, which one may neither spread nor untie.** Rav Hisha said: What is the reason for the opinion of Rav Huna? He holds that with regard to exerting oneself with food on Shabbat, one may exert himself; however, with regard to rendering food edible, one may not render it so. Bundles of crops which are fit for animal consumption in their present state may be further prepared on Shabbat. Cedar branches cannot be eaten when bound together; therefore, one may not exert himself to untie them and render them edible on Shabbat.

NOTES

His *eiruv* is a valid *eiruv* – עירוב עירוב: This is referring to a joining of Shabbat boundaries. When one wants to travel beyond the Shabbat limits, he must designate a place for himself near the boundary and place some food there. He thereby establishes his Shabbat resting place there, allowing him to extend his Shabbat limit by an additional two thousand cubits beyond that point. In order to establish a proper *eiruv* it must already be present at dusk on Friday. Although one is not required to eat the food, it must be accessible for him to eat it at that time. Therefore, an *eiruv* placed somewhere inaccessible on Shabbat is not a valid *eiruv*.

And the *halakha* is that use of the sides is prohibited, but use of the sides of the sides is permitted – צדדן – אסורין, צדי צדדן מותרין: Some commentaries explain that the fact that it is necessary to establish the *halakha* both for sides and for sides of sides indicates that the Gemara accepts the basis of Rava's assertion that there is a connection between the two disputes. Even so, the Gemara concludes that the *halakha* is in accordance with the third opinion, which states that use of sides is prohibited and use of sides of sides is permitted (*Adderet Elyahu*; see *Tosafot*).

Two...three – תרי...תלתא: Some explain instead that two is referring to two bundles tied together as one, and three is referring to three tied together (*Rabbeinu Hananel*).

Cedar branches – דארגי: The *ge'onim* explain that this term can also refer to bundles of straw and the like, and specifically to stalks or branches that are rigid like wood.

HALAKHA

Sides...sides of the sides – צדי צדדן: It is prohibited to make use of the sides of an animal on Shabbat; therefore, one may neither ride an animal nor hang on the sides of an animal. However, making use of the sides of the sides, i.e., using something resting on the side of an animal, is permitted (*Rambam Sefer Zemanim, Hilkhos Shabbat* 21:9; *Shulhan Arukh, Orach Hayyim* 305:18).

One may untie *peki'in* of grain before an animal...*kifin* – מתירין פקיעי עמיר לפני בהמה...וכיפין: One may untie bundles of grain on Shabbat but may not spread them out for an animal. The principle is: One may render edible something that is not edible; however, he may not exert himself to further prepare food that is already edible. Others say that the Sages permitted untying a bundle of straw only when it is tied with a temporary knot (*Rambam Sefer Zemanim, Hilkhos Shabbat* 21:18; *Shulhan Arukh, Orach Hayyim* 324:4 and in the comment of the Rema).

Crushing hay and carobs – ריסוק שחת וחרובין: One may not crush hay or carobs for either large or small animals on Shabbat, because they are already soft and edible. However, it is permitted to crush hard carobs (*Mishna Berura*; *Rambam Sefer Zemanim, Hilkhos Shabbat* 21:18; *Shulhan Arukh, Orach Hayyim* 324:8).

רב יהודה אמר: הן הן פקיעין, הן הן זירין. פקיעין – תרי, זירין – תלתא. כיפין – דארוי. והכי קאמר: מתירין פקיעי עמיר לפני בהמה, אבל פספוס – לא. וכיפין – פספוס נמי מפספסין, אבל לא הזירין לפספס[א] אלא להתיר. אמר רבא: מאי טעמא דרב יהודה – קסבר: שווי אוכלא – משוינן, מטרח באוכלא – לא טרחין.

Rav Yehuda understood the mishna differently and said: **They are called peki'in and they are also called zirin.** The difference between them is that *peki'in* are tied with **two** knots, whereas *zirin* are tied with **three**. *Kifin* are bundles of cedar branches. **And this is what the mishna is saying: One may untie peki'in of grain before an animal; however, with regard to spreading them, no, he may not spread them.** And with regard to *kifin*, one may also spread them. However, that is **not** the case with regard to *zirin*, as it is prohibited to spread them, and it is **only** permitted to untie them. **Rava said: What is the reason for Rav Yehuda's opinion? He holds the opposite of Rav Huna's opinion. He holds that with regard to rendering food edible, one may render it so; however, with regard to exerting oneself on Shabbat with food that is already in an edible state, one may not exert himself.**

תנן: דאין מרסקין את השחת ואת החרובין לפני בהמה, בין דקה ובין גסה. מאי לאו – חרובין דומיא דשחת, מה שחת – דרכיכי, אף חרובין – דרכיכי, אלמא: לא טרחין באוכלא, ותיובתיה דרב הונא!

We learned in the mishna: **One may not crush hay or carobs before an animal on Shabbat in order to facilitate its eating.** He may do so **neither** for a **small** animal **nor** for a **large** one. **Is this not** referring to carobs that are **similar** to hay? Just as it is referring to hay that is **soft**, so too, it is referring to carobs that are **soft**. Apparently, we do **not** exert ourselves with food. Since the carobs are suitable for animal consumption without being crushed, it is prohibited to exert oneself and crush them. **And this is a conclusive refutation** of the opinion of Rav Huna.

אמר לך רב הונא: לא, שחת דומיא דחרובין; מה חרובין – דאקושי, אף שחת – דאקושי. היכי משפחת לה – בעילי זוטרי.

The Gemara answers that Rav Huna could have said to you: No, the mishna is referring to hay that is **similar** to carobs. Just as it is referring to carobs that are **hard**, so too, it is referring to hay that is **hard** and crushing it renders it edible. The Gemara asks: **How is it possible to find** hay that is so hard that an animal cannot eat it? The Gemara answers: It is referring to **young donkeys**, that can only eat hay that is crushed well.

תא שמע: רבי יהודה מתיר בחרובין לדקה. לדקה – אין, לגסה – לא. אי אמרת בשלמא תנא קמא סבר: מטרח באוכלא לא טרחין, שווי משוינן. היינו דקא אמר ר' יהודה: החרובין לדקה נמי שווי אוכלא הוא. אלא אי אמרת תנא קמא סבר: שווי אוכלא לא משוינן, מטרח באוכלא מטרחין, רבי יהודה דמתיר בחרובין לדקה, כל שבין לגסה!

Come and hear a proof from that which we learned in the continuation of the mishna: **Rabbi Yehuda permits crushing carobs for a small animal.** The Gemara infers: **For a small animal, yes, it is permitted; for a large one, no, it is not permitted.** Granted, if you say that the first *tanna* holds: **One may not exert himself with food on Shabbat**, but with regard to rendering food edible, one may render food edible, that explains that which Rabbi Yehuda said in response: Feeding carobs to a small animal is also a case of rendering food edible because the animal cannot eat hard carobs. However, if you say that the first *tanna* holds that with regard to rendering food edible, one may not render food edible on Shabbat, but with regard to exerting oneself with food, one may exert himself, then Rabbi Yehuda, who permits crushing carobs for a small animal, all the more so he should permit crushing carobs for a large one. If carobs are suitable for consumption by a small animal, all the more so are they suitable for consumption by a large animal.

מי סברת "דקה" דקה ממש? מאי דקה – גסה, ומאי קרי לה דקה – דדיקא באוכלא.

The Gemara rejects this: **Do you hold that** the small animal [*daka*] mentioned here is referring to an **actual small** animal? No; rather, what is the meaning of *daka* here? It is referring to a **large** animal. **And what is the reason that the mishna calls it daka? Because it is particular [dayka] about its food.**^N Since this animal can eat uncrushed carobs when there is no alternative, one may exert himself and crush them for it.

הא מדקתני רישא "בין דקה ובין גסה" – מכלל דרבי יהודה "דקה" דקה ממש קאמר! קשיא.

The Gemara asks: From the fact that it is taught in the first clause of the mishna: **Neither** for a **small** animal **nor** for a **large** animal, it can be inferred that when Rabbi Yehuda said *daka*, he meant an **actual small** animal. The Gemara was unable to answer to find an answer to this question and it remains **difficult**. Nonetheless, Rav Huna's opinion was not refuted.

תא שמע: מחתכין

Therefore, come and hear a proof from that which we learned in another mishna: **One may chop**

NOTES

^N דדיקא באוכלא – An animal that is particular about its food – Some explain that this means the animal chews its food well with its teeth and eats both hard and soft foods. In that case, the

Gemara would permit preparing the food, because it involves exerting oneself with food rather than rendering food edible (Ramban).

את הדלועין לפני הבהמה, ואת הנבלה לפני הכלבים. מאי לאו, דלועין דומיא דנבלה; מה נבלה – דרכיכי, אף דלועין – דרכיכי, אלמא: טרחינן באוכלא, ותיבתא דרב יהודה! אמר לך רב יהודה: לא, נבלה דומיא דדלועין; מה דלועין – דאשוני, אף נבלה – דאשוני. והיכי משכחת לה – בבשר פילי אי נמי: בגוריא אתא זוטרי.

תא שמע, דתני רב חנן מנהרדעא: מפרכינן תבן ואספסתא ומערבין. אלמא: טרחינן באוכלא! תבן – בתיבתא סריא, אספסתא – בעילי זוטרי.

מתני' אין אוכסין את הגמל, ולא דורסין, אבל מלעיטין. ואין מאמירין את העגלים, אבל מלעיטין. ומהלקטין לתרגולין, ונותנין מים למורסן, אבל לא גובלין, ואין נותנין מים לפני דבורים ולפני יונים שבשוכך, אבל נותנין לפני אוזין ותרגולין, ולפני יוני הרדיסיות.

גמ' מאי "אין אוכסין"? אמר רב יהודה: אין עושין לה אבוס בתוך מעיה. מי איכא כי האי גוונא? אין, וכדאמר רב ירמיה מדיפתא: לדידי חיי לי ההוא טייעא דאכלא כורא, ואטעינא כורא.

pumpkins before an animal^H and an animal carcass before dogs.^H Is this not referring to pumpkins that are similar to an animal carcass? Just as an animal carcass is soft, so too, the pumpkins referred to here are soft. Apparently, one may exert himself with food, and this is a conclusive refutation of the opinion of Rav Yehuda. The Gemara answers that Rav Yehuda could have said to you: No, the mishna is referring to an animal carcass that is similar to pumpkins. Just as the reference is to pumpkins that are hard, so too, the reference is to an animal carcass that is hard, and chopping it renders it edible. The Gemara asks: And how is it possible to find an animal carcass that is so hard that another animal cannot eat it? The Gemara answers: The mishna is referring to elephant flesh. Alternatively, it can be explained that the mishna is referring to more common animal meat placed before puppies that can eat only chopped meat.

Come and hear a proof from that which Rav Hanan of Neharde'a taught: One may crumble straw and alfalfa on Shabbat and mix the two together, and the animal then eats the straw because it is mixed with the alfalfa. Apparently, one may exert himself with food on Shabbat. The Gemara rejects this proof: No, the straw mentioned here is rotten straw that requires special preparation to render it suitable for animal consumption, and alfalfa is taught with regard to young donkeys who can only eat it in small pieces.

MISHNA One may not forcibly overfeed a camel on Shabbat^H and one may not force-feed it, even if in doing so he does not overfeed the camel. However, one may place food into its mouth. And the mishna makes a distinction, which will be explained in the Gemara, between two manners of placing food in the mouths of cattle. One may not place food in the mouths of calves on Shabbat in the manner of *hamra'a*, but one may do so in the manner of *halata*. And one may force-feed chickens. And one may add water to bran used as animal feed, but one may not knead the mixture. And one may not place water before bees or before doves in a dove-cote, because they are capable of finding their own food; however, one may place water before geese and chickens and before hardisian [*hardeisiyyot*]^L doves.

GEMARA We learned in the mishna that one may not forcibly overfeed a camel on Shabbat. The Gemara asks: What is meaning of: One may not forcibly overfeed? Rav Yehuda said: One may not feed a camel to the point that it creates a trough inside of its stomach. The Gemara asks: Is there the possibility of feeding a camel in that manner? The Gemara answers: Yes; and as Rav Yirmeya of Difti said: I saw an Arab who fed his camel a *kor* of food and loaded it with another *kor* on its back.

LANGUAGE

Hardisian [*hardeisiyyot*] doves – יוני הרדיסיות: There are two distinct versions of the word *hardeisiyyot* explained in the Talmud. One is *herodesiyyot*, named for King Herod, who introduced this species of dove to Israel and raised them. The other is *rodosiyyot*, named for the doves' place of origin, the island of Rhodes in the Mediterranean Sea. Hardisian doves were domesticated and their owners were responsible for their sustenance, unlike earlier species of doves whose owners would merely provide them with a dove-cote and extra food.

HALAKHA

את הדלועין לפני הבהמה – On Shabbat, one may cut hard pumpkins for an animal, provided that the pumpkins were picked before Shabbat (*Magen Avraham*; Rambam *Sefer Zemanim, Hilkhot Shabbat* 21:18; *Shulhan Arukh, Oraḥ Hayyim* 324:6).

את הנבלה לפני הכלבים – On Shabbat it is permitted to cut an animal carcass for dogs, even if the animal died on Shabbat itself, provided the carcass is too hard for the dogs to chew. However, if the dogs could eat it uncut, one may not exert himself and cut it (Rambam *Sefer*

Zemanim, Hilkhot Shabbat 21:18; *Shulhan Arukh, Oraḥ Hayyim* 324:7).

אין אוכסין – אין אוכסין – One may not forcibly overfeed an animal on Shabbat, nor may one cram food into a place in its throat where the animal cannot expel it. However, it is permitted to place food into a place in the animal's mouth where the animal can expel it (Rambam *Sefer Zemanim, Hilkhot Shabbat* 21:35; *Shulhan Arukh, Oraḥ Hayyim* 324:9).

The righteous man takes knowledge of the cause of the poor – **יודע צדיק דין דלים**: The simple understanding of this verse refers to the ideal manner in which a righteous person should treat the poor. Rabbi Yona taught that it refers to the Holy One, Blessed be He, Who sees to the needs of all living creatures (Maharsha).

Whose is the opinion introduced as: And some say – **מאן ויש אומרים**: Although the Gemara states that opinions introduced as: And some say, are attributed to Rabbi Natan, the Sages were aware that there are exceptions. There are even some disputes where Rabbi Natan disagrees with the opinion of: And some say (*Tosafot*).

HALAKHA

דבר טמא – A ritually impure object that was eaten – **שנאכל**: Flesh of a corpse eaten by an animal does not transmit ritual impurity while still in the animal's stomach. If the animal died and the flesh remained in its stomach for three full days in the case of a dog, or for one full day in the case of other animals, the flesh is considered to have been digested and is ritually pure, in accordance with the ruling of Rabbi Yehuda ben Beteira in a mishna in tractate *Ohlot* (Rambam *Sefer Tahara*, *Hilkhot Tumat Met* 20:4).

המראה והלעטה – *Hamra'a and halata*: On Shabbat, one may not force an animal to the ground and forcibly feed it water and vetch simultaneously. However, if an animal is standing, one may feed it water and vetch separately as per the *Tosefta* (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:35).

נתינת מים למורסן – *Placing water into bran*: One may not knead bran and water together for animals on Shabbat, but it is permitted to pour water into the bran and to pass a spoon through it, or pour it from one vessel into another so that they will mix together. That is the ruling of most halakhic authorities, because the unattributed mishna is in accordance with the opinion of Rabbi Yosei bar Yehuda (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 21:34; *Shulhan Arukh*, *Orach Hayyim* 324:3). However, others prohibit even pouring water into the bran, in accordance with the opinion of Rabbi Yehuda HaNasi (*Sefer Mitzvot Gadol*; *Tosafot*).

דרש רבי יונה אפיתחא דבי נשיאה: מאי דכתיב (יודע) צדיק דין דלים? יודע הקדוש ברוך הוא בכלב שמוזנותיו מועטין, לפיכך שוהה אכילתו במעיו שלשה ימים. כדתנן: כמה תשוה אכילתו במעיו ויהא טמא – בכלב – שלשה ימים מעית לעת, ובעופות ובדגים – כדי שתפול לאור ותשרף.

אמר רב המנונא, שמע מינה: אורח ארעא למשדא אומצא לכלבא. וכמה? אמר רב מרי: משח אודניה, וחוטרא אבתריה. הני מילי – בדברא, אבל במתא – לא, דאתא למסרך. אמר רב פפא: לית דענא מכלבא, ולית דעתור מחזירא.

תנא בותיה דרב יהודה: איזו היא המראה ואיזו היא הלעטה? המראה – מרביצה ופוקס את פיה ומאכילה ברשימין ומים בבת אחת, הלעטה – מאכילה מעומד ומשקה מעומד, ונותנין ברשימין בפני עצמן ומים בפני עצמן.

"מהלקטין לתנגולין כו". אמר אביי: אמריה קמיה דמר, מתניתין מני? ואמר לי: רבי יוסי בר יהודה היא, דתנא: אחד נותן את הקמח ואחד נותן לתוכו מים – האחרון חייב, דברי רבי. רבי יוסי בר יהודה אומר: אינו חייב עד שנגבל.

דילמא עד כאן לא קאמר רבי יוסי בר יהודה ה"תם – אלא קמח דבר גיבול הוא, אבל מורסן דלאו בר גיבול הוא – אפילו רבי יוסי בר יהודה מודה? לא סלקא דעתך, דתנא בהדיא: אין נותנין מים למורסן, דברי רבי. רבי יוסי בר יהודה אומר: נותנין מים למורסן.

תנו רבנן: אין גובלין את הקלי ויש אומרים גובלין. מאן ויש אומרים? אמר רב חסדא:

Returning to the discussion of feeding dogs, the Gemara cites additional statements on the topic. **Rabbi Yona taught at the entrance to the house of the Nasi: What is the meaning of that which is written: "The righteous man takes knowledge of the cause of the poor"** (Proverbs 29:7)?⁸ **The Holy One, Blessed be He, knows that for a dog, its sustenance is scarce and they are not fed sufficiently. Therefore, its food remains in its intestines for three days so that the dog will be sustained by that food, as we learned in a mishna dealing with the halakhot of ritual impurity: After an animal eats flesh from a corpse, how long does its food remain in its intestines undigested and therefore ritually impure?**⁹ **In the case of a dog it is for three twenty-four hour periods, and for fowl and fish, who digest their food quickly, it is the equivalent of the time it takes for the flesh to fall into the fire and be consumed by the fire.**

Rav Hamnuna said: Learn from it: It is the way of the world, i.e., proper conduct, to throw a piece of meat before a dog, as even the Holy One, Blessed be He, concerns Himself with the dog's sustenance. The Gemara asks: And how much food should one give to a dog? Rav Mari said: Give it the equivalent of the measure of its ear and strike it immediately thereafter with a staff so that the dog will not grow attached to the one who fed it. This applies specifically when one is in the field, but in the city, one should not give anything to a dog because the dog will be drawn to follow him and remain with him. Rav Pappa said: There is no creature poorer than a dog, and no creature richer than a pig, as pigs will eat anything, and people provide them with plentiful amounts of food.

With regard to the halakhic ruling, a *baraita* was taught in accordance with the opinion of **Rav Yehuda: What is hamra'a and what is halata?**¹⁰ *Hamra'a* is when a person forcibly lays the animal on the ground and forces its mouth open and feeds it vetch and water simultaneously so that the animal will be unable to expel it. *Halata* is when one feeds the animal while it is standing and gives it to drink while it is standing, i.e., gives it food and drink in the usual manner, and one gives it vetch separately and water separately, to augment what the animal eats on its own.

We learned in the mishna: **And one may force-feed chickens, and one may add water to bran, but one may not knead the mixture. Abaye said: I said this before my Master, Rabba: Whose opinion is it in the mishna? And he said to me: It is the opinion of Rabbi Yosei bar Yehuda, as it was taught in a baraita: If one person places flour and another one places water into it, the latter is liable to bring a sin-offering for performing the prohibited labor of kneading. This is the statement of Rabbi Yehuda HaNasi. Rabbi Yosei bar Yehuda says: One is only liable when he actually kneads the flour and water together. He is not liable for merely adding water to the flour. This is similar to the ruling of the mishna that one may pour water into the bran but may not knead the mixture.**

The Gemara rejects this: **Perhaps Rabbi Yosei bar Yehuda only stated that actual kneading is required to be liable for performing the prohibited labor of kneading in the case of flour, which can be kneaded; however, in the case of bran, which cannot be kneaded into a dough, even Rabbi Yosei bar Yehuda would concede that it is prohibited, even if one does not actually knead the mixture. The Gemara rejects this statement: It should not enter your mind to explain it that way, as it was taught explicitly in a baraita: One may not place water into bran on Shabbat; this is the statement of Rabbi Yehuda HaNasi. Rabbi Yosei bar Yehuda says: One may place water into bran.**¹¹

The Sages taught: On Shabbat, one may not knead sweet flour made from unripe grain that was dried in an oven, and some say: One may knead it. The Gemara asks: Whose is the opinion introduced as: And some say?¹² **Rav Hisda said:**

NOTES

Shatit – שְׁתִּית: *Shatit* is a dish made with flour and honey. The flour is prepared from roasted barley dried in an oven while the sheaves are still moist (Rashi).

Emptying – לְפָק: Some explain that this means unloading a burden from an animal on Shabbat. Others explain that this refers to unpacking bundles of a crop (*Arukh*).

HALAKHA

Mixing shatit on Shabbat – גִּבּוּל שְׁתִּית בַּשַּׁבָּת: One may not stir a large amount of flour made from roasted barley into liquid all at once. It is permitted to mix flour made from unripe roasted wheat with vinegar, provided the mixture is watery. However, this is prohibited if the mixture is thick, because it looks like kneading. On Shabbat one alters the manner in which he prepares the *shatit* by adding the vinegar to the flour instead of the weekday method of adding the flour to the vinegar (Rambam *Sefer Zemanim, Hilkhot Shabbat* 21:33; *Shulhan Arukh, Oraḥ Hayyim* 321:14 and see the *Mishna Berura*).

רַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה הָיָא. וְהָיָא מִלֵּי –
הוּא דְּמִשְׁנֵי. הִיכִי מִשְׁנֵי? אָמַר רַב חֲסִידָא:
עַל יַד עַל יָד. וְשׁוֹיִן שְׁבוּחֵי שֵׁן אֶת הַשְּׁתִּית
בַּשַּׁבָּת וְשׁוֹתִים וְיָתוּם הַמִּצְרִי.

וְהָאֵמַרְתָּ "אֵין גּוֹבְלִין"! לֹא קָשִׁיָּא, הָא –
בְּעֵבֶה, הָא – בְּרַכָּה. וְהָיָא מִלֵּי – הוּא
דְּמִשְׁנֵי.

הִיכִי מִשְׁנֵי? אָמַר רַב יוֹסֵף: בַּחֹל נֹתֵן
אֶת הַחוֹמֶץ וְאַחֵר כֵּךְ נֹתֵן אֶת הַשְּׁתִּית,
בַּשַּׁבָּת – נֹתֵן אֶת הַשְּׁתִּית וְאַחֵר כֵּךְ נֹתֵן
אֶת הַחוֹמֶץ. לֹוי בְּרִיה דְּרַב הוּנָא בְּרַחֲמֵי
אֲשַׁכְחִיהָ לְגַבְלָא דְּבִי נָשִׂיָּה דְּקָא גַבִּיל
וְסָפִי לִיהָ לְתוֹרִיָּה, בִּטְשָׁ בֵּיה. אֲתָא אָבוּהָ
אֲשַׁכְחִיהָ, אָמַר לִיהָ: הִכִּי אָמַר אָבוּהָ
דְּאִמָּךְ מִשְׁמִיָּה דְּרַב, וּמִנּוּ – רַבִּי יִרְמְיָה
בְּרַב אָבָא: גּוֹבְלִין וְלֹא מִסְפִּין. וְדָלָא לְקִיט
בְּלִישְׁנָה – מִהֲלָקִיטִין לִיהָ. וְהָיָא מִלֵּי –
הוּא דְּמִשְׁנֵי.

הִכִּי מִשְׁנֵי? אָמַר רַב יִימָר בְּרַ שְׁלָמְיָא
מִשְׁמִיָּה דְּאָבִי: שְׁתֵּי וְעֵרַב. וְהָא לֹא מְעֵרַב
שְׁפִיר! אָמַר רַב יְהוּדָה: מְנַעֵר לְבָלִי.

בְּתִיב אֶפְיִנְקִסְיָה דְּזַעֲרִי: אֲמַרְתִּי קִדָּם
רַבִּי, וּמִנּוּ – רַבִּי חִיָּיא, מַהוּ לְגַבְלָא? אָמַר:
אֲסוּר. מַהוּ לְפָרֶק? אָמַר: מוּתָר. אָמַר רַב
[מְנַשְׁיָא]: חֹד קָמִי חֹד, תְּרִי קָמִי תְּרִי –
שְׁפִיר דְּמִי, תִּלְתָּא קָמִי תְּרִי – אֲסוּר. רַב
יוֹסֵף אָמַר: קָב וְאַפִּילוּ קָבִיִּים. עוֹלָא אָמַר:
כוֹר וְאַפִּילוּ כוֹרִיִּים.

בְּתִיב אֶפְיִנְקִסְיָה דְּלֹוי: אֲמַרְתִּי קִדָּם רַבִּי,
וּמִנּוּ – רַבִּינוּ הַקְדוּשׁ, עַל דְּהוּ גַבְלִין
שְׁתִּיתָא בְּבָבֶל, וְהוּהוּ צוּחַ רַבִּי, וּמִנּוּ –
רַבִּינוּ הַקְדוּשׁ, עַל דְּהוּ גַבְלִין שְׁתִּיתָא,
וְלִית דְּשְׁמִיעַ לִיהָ, וְלִית חִילָא בִּידֵיהָ
לְמִיסַר – מִדְּרַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה.

It is the opinion of Rabbi Yosei, son of Rabbi Yehuda. And this leniency applies only in a case where one alters the way that he kneads. The Gemara asks: How does one alter the manner in which he kneads? Rav Hisda said: One does not knead the dough all at once but rather a little bit at a time. It was also taught: And they agree that one may mix the *shatit*,ⁿ roasted barley to which honey is added, on Shabbat,ⁿ and drink Egyptian beer, as it is not considered to be for medicinal purposes.

The Gemara asks: Didn't you say: One may not knead? That contradicts the statement that they agree that it is permitted to stir the *shatit*. The Gemara answers: This is not difficult, as there is a distinction between the cases. This dispute with regard to *shatit* is referring to mixing a thick mixture, which is similar to kneading. However, that statement where they agree that mixing is permitted is referring to a soft, thin mixture that cannot be kneaded. And all of these statements are referring to a case where one alters the way he kneads or stirs.

The Gemara asks: How does one alter the manner in which he performs these actions? Rav Yosef said: On a weekday one first places the vinegar in a vessel and then places the *shatit*. On Shabbat one first places the *shatit* and then places the vinegar. The Gemara relates that Levi, son of Rav Huna bar Ḥiyya, found the one who kneads in his parents' home kneading bran on Shabbat and feeding it to his ox. He kicked him so that he would stop. When his father came and found him, he said to him: This is what your mother's father said in the name of Rav. The Gemara interjects: And who is his mother's father? It is Rabbi Yirmeya bar Abba, who said: One may knead but not feed animals, and a calf that does not take the food with its tongue may be fed on Shabbat. And this applies only when one alters the manner in which he does so.

The Gemara asks: How does one alter the manner in which he does so? Rav Yeimar bar Shelamya said in the name of Abaye: One moves the ladle or stirring utensil in the directions of warp and woof. The Gemara asks: Isn't it the case that it will not mix well, so what is the point of stirring it that way? Rav Yehuda said: It means that one pours it into another vessel and in the process it is mixed.

It was written in Ze'eiri's notebook: I said before my rabbi, and the Gemara asks: And who is his rabbi? It is Rabbi Ḥiyya. And Ze'eiri said before him: What is the ruling? Is it permitted to knead on Shabbat? He said: It is prohibited. What is the ruling with regard to emptyingⁿ food from a vessel before one animal to place it before another animal? He said: It is permitted. Rav Menashya said: Placing one trough before one animal or two troughs before two animals, one may well do so. Placing three troughs before two animals is prohibited, because it is considered to be superfluous labor as he is bringing the animals more food than they need. Rav Yosef said: It is permitted to add a *kav* of additional food or even two *kav*. Ulla said: One may add a *kor* or even two *kor* and there is no need for concern.

It was written in Levi's notebook: I said before my rabbi, and the Gemara asks: And who is his rabbi? It is our holy Rabbi, Rabbi Yehuda HaNasi. Levi spoke about the fact that people would knead *shatit* in Babylonia, and my rabbi, and who is it, our holy Rabbi, cried in protest over the fact that people would knead *shatit*. And there was no one who listened to him, and he did not have the power to prohibit it due to the people's reliance on the opinion of Rabbi Yosei, son of Rabbi Yehuda, who permitted doing so.

בְּתִיב אֶפִינְקִסְיָה דְרַבִּי יְהוֹשֻעַ בֶּן לֵוִי הָאִי מֵאֵן
דְּבַחַד בְּשַבָּא – יְהִי גִבֹר וְלֹא חֲדָא בֵּיהּ.

After citing relevant *halakhot* written in the notebooks of various Sages, the Gemara relates that it was written in Rabbi Yehoshua ben Levi's notebook: One who was born on the first day of the week, Sunday, will be a person and there will not be one in him.

מאי "[לֹא חֲדָא בֵּיהּ]" אִילִימָא וְלֹא חֲדָא לְטִיבּוֹ –
וְהָאֵמֵר רַב אֲשִׁי: אֲנָא בַּחַד בְּשַבָּא הוּאִי! אֶלֹא –
לֹא חֲדָא לְבִישׁוֹ, וְהָאֵמֵר רַב אֲשִׁי: אֲנָא וְדִימִי
בִּר קָקוּזְתָא הוּוּיִין בַּחַד בְּשַבָּא, אֶלֹא – מֶלֶךְ,
וְהוּא – הָהּ רִישׁ גְּנִבִי! אֶלֹא: אִי בּוֹלִי לְטִיבּוֹ,
אִי בּוֹלִי לְבִישׁוֹ. מַאי טַעְמָא – דְּאִיבְרוּ בֵּיהּ אוֹר
וְחוֹשֶׁךְ?

The Gemara asks: What is the meaning of the phrase: **There will not be one in him?** If you say that there is not one quality for the best, that cannot be, as Rav Ashi said: I was born on the first day of the week, and one cannot say that there was nothing good about him. Rather, it must mean that there is not one quality for the worst. Didn't Rav Ashi say: I and Dimi bar Kakuzta were both born on the first day of the week. I became a king, the head of a yeshiva, and he became the head of a gang of thieves, clearly a negative quality. Rather, one born on a Sunday is either completely for the best or completely for the worst. What is the reason for this? It is because both light and darkness were created on the first day of Creation.^N

הָאִי מֵאֵן דְּבַחַרִי בְּשַבָּא – יְהִי גִבֹר רְגֵזָן. מַאי
טַעְמָא – מְשׁוּם דְּאִימְלִיגוּ בֵּיהּ מֵיָא. הָאִי מֵאֵן
דְּבַחַלְתָּא בְּשַבָּא – יְהִי גִבֹר עֵתִיר, וְזִנְאִי יְהִי. מַאי
טַעְמָא – מְשׁוּם דְּאִיבְרוּ בֵּיהּ עֲשָׂבִים. הָאִי מֵאֵן
דְּבַאֲרֵבְעָה בְּשַבָּא – יְהִי גִבֹר חֲכִים וְנְהִיר, מַאי
טַעְמָא – מְשׁוּם דְּאִיתְלוּ בֵּיהּ מְאוֹרוֹת.

One who was born on the second day of the week, Monday, will be a short-tempered person. What is the reason for this? It is because on that day, the second day of Creation, the upper and lower waters were divided. Therefore, it is a day of contentiousness.

One who was born on the third day of the week will be a rich man and a promiscuous person. What is the reason for this? It is because on that day, the third day, vegetation was created. It grows abundantly but is also mixed together without boundaries between the grass and the plants.

One who was born on the fourth day of the week will be a wise and enlightened person. What is the reason for this? It is because the heavenly lights were hung in the heavens on that day, and wisdom is likened to light.

הָאִי מֵאֵן דְּבַחַמְשָׁה בְּשַבָּא – יְהִי גִבֹר גּוֹמֵל חֲסָדִים.
מַאי טַעְמָא – מְשׁוּם דְּאִיבְרוּ בֵּיהּ דְּגִים וְעוֹפּוֹת.
הָאִי מֵאֵן דְּבַמַּעֲלִי שַׁבְּתָא – יְהִי גִבֹר חוֹרֵן, אֵמֵר רַב
נַחֲמָן בִּר יִצְחָק: חוֹרֵן בְּמַצּוֹת. הָאִי מֵאֵן דְּבַשַּׁבְּתָא
יְהִי – בְּשַׁבְּתָא יָמוּת, עַל דְּאִתְלוּ עֲלוּהִי יוֹמָא
רַבָּא דְּשַׁבְּתָא. אֵמֵר רַבָּא בִּר רַב שִׁילָא: וְקִדִּישָׁא
רַבָּא יִתְקַרֵּי.

One who was born on the fifth day of the week will be a person who performs acts of kindness. What is the reason for this? It is because on that day the fish and fowl were created, and they do not receive their sustenance by performing work for people. They are sustained by the kindness of God alone.

One who was born on the sixth day of the week will be a seeker. Rav Nahman bar Yitzhak said that this means that he will be one who seeks out mitzvot, as most of the activity on Friday involves preparation for Shabbat.

One who was born on Shabbat will die on Shabbat, because they desecrated the great day of Shabbat on his behalf. Rava bar Rav Sheila said: And he will be called a person of great sanctity because he was born on the sacred day of Shabbat.

NOTES

Because both light and darkness were created on the first day of Creation – דְּאִיבְרוּ בֵּיהּ אוֹר וְחוֹשֶׁךְ: Those whose version of the Gemara includes this phrase explain: Just as light and darkness were created

on the first day of Creation and separated from each another, so too, those born on the first day of the week will be either completely good, like light, or completely wicked, like darkness (*Hokhmah Manohi*).

אמר להו רבי חנינא: פוקו אמרו ליה לבר לויאי:
לא מול יום גורם, אלא מול שעה גורם. האי מאן
דבחה יהי גבר ויותן, יהי אכיל מדיליה ושתי
מדיליה, ורוזיה גליין. אם גניב – לא מצלח. האי
מאן דבכוכב נוגה יהי גבר עתיר וזנאי יהי, מאי
טעמא – משום דאיתיליד ביה נורא. האי מאן
דבכוכב יהי גבר נהיר וחכים, משום דספרא
דחמה הוא. האי מאן דבלבנה יהי גבר סביל
מרעין, בגאי וסתיר, סתיר ובגאי, אכיל דלא
דיליה ושתי דלא דיליה, ורוזיה בסין, אם גניב –
מצלח. האי מאן דבשבתאי יהי גבר מחשבתיה
בטליון, ואית דאמר: כל דמחשבין עליה בטליון.
האי מאן דבצדק יהי גבר צדקן, אמר רב נחמן בר
יצחק: וצדקן במצות. האי מאן דבמאדים יהי גבר
אשיד דמא. אמר רב אשי: אי אומנא, אי גנבא,
אי טבחא, אי מוהל. אמר רבה: אָנא במאדים
הוא! אמר אביי: מר נמי עניש וקטיל.

Rabbi Hanina said to his students who heard all this: **Go and tell the son of Leiva'i, Rabbi Yehoshua ben Levi: It is not the constellation of the day of the week that determines a person's nature; rather, it is the constellation of the hour^B that determines his nature.**^B

One who was born under the influence of the sun will be a radiant person; he will eat from his own resources and drink from his own resources, and his secrets will be exposed. If he steals he will not succeed, because he will be like the sun that shines and is revealed to all.

One who was born under the influence of Venus will be a rich and promiscuous person. What is the reason for this? Because fire was born during the hour of Venus, he will be subject the fire of the evil inclination, which burns perpetually.

One who was born under the influence of Mercury will be an enlightened and expert man, because Mercury is the sun's scribe, as it is closest to the sun.

One who was born under the influence of the moon will be a man who suffers pains, who builds and destroys, and destroys and builds. He will be a man who eats not from his own resources and drinks not from his own resources, and whose secrets are hidden. If he steals he will succeed, as he is like the moon that constantly changes form, whose light is not its own, and who is at times exposed and at times hidden.

One who was born under the influence of Saturn will be a man whose thoughts are for naught. And some say that everything that others think about him and plan to do to him is for naught.

One who was born under the influence of Jupiter [tzedek] will be a just person [tzadkan]. Rav Nahman bar Yitzhak said: And just in this context means just in the performance of mitzvot.

One who was born under the influence of Mars will be one who spills blood. Rav Ashi said: He will be either a blood letter, or a thief, or a slaughterer of animals, or a circumciser. Rabba said: I was born under the influence of Mars and I do not perform any of those activities. Abaye said: My Master also punishes and kills as a judge.

BACKGROUND

The constellation of the hour – מול שעה: The seven planetary bodies mentioned here: The sun, Venus, Mercury, the moon, Saturn, Jupiter, and Mars influence different hours of the day and night on different days of the week. See the table below for their influence beginning with the first hour of the night.

Hours	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Shabbat
1	Mercury	Jupiter	Venus	Saturn	Sun	Moon	Mars
2	Moon	Mars	Mercury	Jupiter	Venus	Saturn	Sun
3	Saturn	Sun	Moon	Mars	Mercury	Jupiter	Venus
4	Jupiter	Venus	Saturn	Sun	Moon	Mars	Mercury
5	Mars	Mercury	Jupiter	Venus	Saturn	Sun	Moon
6	Sun	Moon	Mars	Mercury	Jupiter	Venus	Saturn
7	Venus	Saturn	Sun	Moon	Mars	Mercury	Jupiter
8	Mercury	Jupiter	Venus	Saturn	Sun	Moon	Mars
9	Moon	Mars	Mercury	Jupiter	Venus	Saturn	Sun
10	Saturn	Sun	Moon	Mars	Mercury	Jupiter	Venus
11	Jupiter	Venus	Saturn	Sun	Moon	Mars	Mercury
12	Mars	Mercury	Jupiter	Venus	Saturn	Sun	Moon
13	Sun	Moon	Mars	Mercury	Jupiter	Venus	Saturn
14	Venus	Saturn	Sun	Moon	Mars	Mercury	Jupiter
15	Mercury	Jupiter	Venus	Saturn	Sun	Moon	Mars
16	Moon	Mars	Mercury	Jupiter	Venus	Saturn	Sun
17	Saturn	Sun	Moon	Mars	Mercury	Jupiter	Venus
18	Jupiter	Venus	Saturn	Sun	Moon	Mars	Mercury
19	Mars	Mercury	Jupiter	Venus	Saturn	Sun	Moon
20	Sun	Moon	Mars	Mercury	Jupiter	Venus	Saturn
21	Venus	Saturn	Sun	Moon	Mars	Mercury	Jupiter
22	Mercury	Jupiter	Venus	Saturn	Sun	Moon	Mars
23	Moon	Mars	Mercury	Jupiter	Venus	Saturn	Sun
24	Saturn	Sun	Moon	Mars	Mercury	Jupiter	Venus

The stars and their qualities – הוככים ותכונותיהם: Astrology, which was considered to be a serious science over the course of many generations, was highly developed in Babylonia. Nevertheless, the Talmud discusses astrology relatively infrequently and when it does, the discussion is on the level of folklore, lacking development or complexity. This is apparently because most of the Sages maintained that the constellations do not control the Jewish people.

Some of the qualities ascribed here to various astrological signs are related to the visible qualities of the stars themselves, like the qualities attributed to the sun and the moon. Those born under the sign of Venus are ascribed certain qualities because the luminaries were hung on that day. This may be explained because the conclusion of Shabbat is the time associated with Venus, and it is also the time when, according to the Rabbis, fire was discovered by people. Mercury is described as the sun's scribe because even the early astrologers were aware that it was the closest planet to the sun. Saturn is generally regarded as a sign related to misfortune, even though it is ascribed a different meaning here. Jupiter is considered a sign of fortune and righteousness. Mars was considered to be a sign of war and murder, because of its red color and because of its association with the Roman god Mars.

A constellation makes one wise and... makes one wealthy – מְזַל מַחְכִּים, מְזַל מַעֲשִׂיר: Many commentaries discussed this opinion and concluded that Rabbi Ḥanina does not mean to say that everything is determined by one's constellation. He himself stated: Everything is in the hands of Heaven, except for fear of Heaven; the choice between good and evil remains in the purview of human beings. Similarly, those who deny the influence of one's constellation do not completely deny it; rather, they hold that the constellation does not dictate everything but it exerts an influence in a certain direction. However, a person has the power to free himself from the limitations of his fundamental nature and to forge his own path in life (*ge'onim*; *HaKotev*; *Pardes Rimmonim*).

It was stated that Rabbi Ḥanina says: A constellation makes one wise and a constellation makes one wealthy,^N and there is a constellation for the Jewish people that influences them. Rabbi Yoḥanan said: There is no constellation for the Jewish people that influences them. The Jewish people are not subject to the influence of astrology. And Rabbi Yoḥanan follows his own reasoning, as Rabbi Yoḥanan said: From where is it derived that there is no constellation for the Jewish people? As it is stated: "Thus said the Lord: Learn not the way of the nations, and be not dismayed at the signs of heaven; for the nations are dismayed at them" (Jeremiah 10:2). The nations will be dismayed by them, but not the Jewish people.

And Rav also holds that there is no constellation for the Jewish people, as Rav Yehuda said that Rav said: From where is it derived that there is no constellation for the Jewish people? As it is stated with regard to Abraham: "And He brought him outside, and said: Look now toward heaven, and count the stars, if you are able to count them; and He said unto him: So shall your offspring be" (Genesis 15:5). The Sages derived from this that Abraham said before the Holy One, Blessed be He: Master of the Universe, "Behold, You have given me no offspring, and one born in my house is to be my heir" (Genesis 15:3). The Holy One, Blessed be He, said to him: No. "And, behold, the word of the Lord came to him, saying: This man shall not be your heir; rather, one that will come forth from your own innards shall be your heir" (Genesis 15:4).

Abraham said before Him: Master of the Universe, I looked at my astrological map, and according to the configuration of my constellations I am not fit to have a son. The Holy One, Blessed be He, said to him: Emerge from your astrology, as the verse states: "And He brought him outside," as there is no constellation for Israel. What is your thinking?

איתמר, רבי חנינא אומר: מזל מחכים, מזל מעשיר, ויש מזל לישראל. רבי יוחנן אומר: אין מזל לישראל. ואודא רבי יוחנן לטעמיה, דאמר רבי יוחנן: מניין שאין מזל לישראל – שנאמר "בה אמר ה' אל דרך הגוים אל תלמדו ומאותות השמים אל תחתו כי יחתו הגוים מהמה", הם יחתו, ולא ישראל.

ואף רב סבר אין מזל לישראל, דאמר רב יהודה אמר רב: מניין שאין מזל לישראל – שנאמר "ויוצא אותו החוצה". אמר אברהם לפני הקדוש ברוך הוא: רבנו של עולם "בן ביתי יורש אותי". אמר לו: לאו, "כי אם אשר יצא ממעיך".

אמר לפניו: רבנו של עולם, נסתכלתי באיצטגנונות שלי ואיני ראוי להוליד בן. אמר ליה: יצא מאיצטגנונות שלך, שאין מזל לישראל. מאי דעתך –

Perek XXIV

Daf 156 Amud b

דקאי צדק במערב, מהדרנא ומוקמינא ליה במזרח. והיני דכתיב "מי העיר ממזרח צדק יקראהו לגלו".

ומדשמואל נמי, אין מזל לישראל. דשמואל ואבלט הוו יתבי, והוו קאזלי הנך אינשי לאגמא. אמר ליה אבלט לשמואל: האי גברא אזיל ולא אתי, טריק ליה חייוא ומיית. אמר ליה שמואל: אי בר ישראל הוא – אזיל ואתי. אדיתבי אזיל ואתי.

קם אבלט, שדיה לטוניה אשכח ביה חייוא דפסיק ושדי בתרתי גובי. אמר ליה שמואל: מאי עבדת? אמר ליה: כל יומא הוה מרמינן ריפתא בהדי הדדי ואכלינן. האידנא הוה איבא חד מינן דלא הוה ליה ריפתא, הוה קא מיכסף. אמינא להו: אנא קאימנא וארמינא. כי מטאי לגביה שואי נפשיא במאן דשקילי מיניה, כי היכי דלא ליכסף. אמר ליה: מצוה עבדת! נפק שמואל ודרש: "ויצדקה תציל ממות" ולא ממיתה משונה, אלא ממיתה עצמה.

Is it because Jupiter is situated in the west that you cannot have children? I will restore it and establish it in the east. And that is the meaning of that which is written with regard to Abraham: "Who has raised up one from the east, he will call justice [*tzedek*] to his steps [*leraglo*]. He gives nations before him, and makes him rule over kings; his sword makes them as the dust, his bow as the driven stubble" (Isaiah 41:2). God established Jupiter [*tzedek*] in the east on behalf of [*leraglo*] Abraham.

And from that which transpired to Shmuel, one can also conclude that there is no constellation for the Jewish people. The Gemara relates that Shmuel and the gentile sage Ablet^p were sitting, and they saw these people were going to the lake. Ablet said to Shmuel: This person will go and he will not return, because a snake will bite him and he will die. Shmuel said to him: If he is a Jew, he will go and come back. As they were sitting for a while, the person they discussed went away and then returned.

Ablet stood up, threw down the person's burden, and inside he found a snake cut and cast in two pieces. Shmuel said to him: What did you do to merit being saved from death? The person said to him: Every day we all take bread together and eat from the bread. Today, there was one of us who did not have bread, and when it came time to gather the bread, he was embarrassed because he did not have any to give. I said to the others: I will go and take the bread. When I came to the person who did not have bread, I rendered myself as one who was taking from him so that he would not be embarrassed. Shmuel said to him: You performed a mitzva. Shmuel went out and taught based on this incident that even though it is written: "And charity will save from death" (Proverbs 10:2), it does not only mean that it will save a person from an unusual death^N but even from death itself.

PERSONALITIES

Ablet – אַבְלֵט: This gentile sage was very close with Shmuel, and the Talmud relates several encounters and discussions between them. Ablet was also quite familiar with Jewish customs. The Jerusalem Talmud also records conversations between him and Jewish Sages. Although Ablet's origins are not clear, his name indicates that he was probably Babylonian. Obalit is phonetically similar to the Babylonian name Sanbalat.

NOTES

ולא – Not only from an unusual death – מְמִיתָה מְשֻׁנָּה: This must be understood in light of the Gemara in tractate *Bava Batra* which explains that the verse: "And charity will save from death," refers to an unusual form of death, since even people who give charity eventually die. Here, the Gemara adds that it also means that one who gives charity will merit living a long life (Maharsha).

BACKGROUND

Chaldeans – כַּלְדָּאִי: As indicated in a number of Talmudic sources, the Chaldeans, or *Kasdim* as they are referred to in the book of Daniel (2:4), were apparently neither magicians nor sorcerers, from whom it would have been prohibited by Torah law to receive counsel. Rather, it seems they were the leading scientists of the time. They specialized in astrology, in predicting a person's fate based on the stars. Although Jewish men and women consulted the Chaldeans regularly and this was not considered to be a violation of a prohibition, not everyone permitted it (see *Tosafot*).

NOTES

Covering the head – כיסוי הראש: From several Talmudic sources it is apparent that not all men covered their heads. Prominent Torah scholars covered their heads with a scarf. Since children never covered their heads, Rav Nahman bar Yitzhak was exceptional in this regard. In subsequent generations covering one's head became standard practice.

HALAKHA

Covering the head – כיסוי הראש: A man may not walk four cubits with his head uncovered even under a roof (*Mishna Berura*), as covering one's head is a custom of piety and leads to fear of God. The story of Rav Nahman bar Yitzhak is one of many sources that mention this custom. Although there are halakhic authorities who explicitly characterized covering one's head as merely a custom of piety (Maharshal; Vilna Gaon), the majority of Jewish men are especially vigilant when it comes to covering their heads (*Shulhan Arukh, Orach Hayyim* 2:6).

ומדדב עקיבא נמי, אין מול לישראל. דרבי עקיבא הויה ברתא, אמרי ליה כלדאי: ההוא יומא דעיילא לבי גננא – טריק לה חיויא ומיתא. הוה דאיגא אמילתא טובא. ההוא יומא שקלתה למבבנתא, דצנתא בגודא, איתרמי איתבי בעיניה דחיויא. לצפרא כי קא שקלה לה – הוה קא סריד ואיתי חיויא בתרה.

אמר לה אבוי: מאי עבדת? אמרה ליה: בפניא אתא עניא, קרא אבבא, והו טרידי פולי עלמא בסעודתא, וליכא דשמעיה. קאימנא, שקלתי לויסתנאי דיהבית לי, יהבתייה נהליה. אמר לה: מצוה עבדת! נפק רבי עקיבא ודרש: "וצדקה תעיל ממות" ולא ממייתה משונה, אלא ממייתה עצמה.

ומדרב נחמן בר יצחק נמי, אין מול לישראל. דאימיה דרב נחמן בר יצחק אמרי לה כלדאי: בריך גנבא הוה. לא שבקתייה גלויי רישיה. אמרה ליה: כפי רישך, כי היכי דתהווי עלך אימתא דשמאי, ובעי רחמי. לא הוה ידע אמאי קאמרה ליה. יומא חד יתיב קא גרים תווי דיקלא, נפל גלימא מעילוייה רישיה דלי עיניה חזא לדיקלא, אלמיה יצריה, סליק פסקיה לקיבורא בשיניה.

מתני' מחתכין את הדלועין לפני הבהמה, ואת הנבלה לפני הכלבים, רבי יהודה אומר: אם לא היתה נבלה מערב שבת – אסורה, לפי שאינה מן המוכן.

גמ' איתמר (ער"ל שח"ז סימן) אמר עולא: הלכה ברבי יהודה. (ושמואל אמר: הלכה ברבי שמעון).

ואף רב סבר הלכה ברבי יהודה מדברכי דווין דרב אסר ושמואל שרי ואף לוי סבר הלכה ברבי יהודה. כי הא דלוי כי הו מיייתי טריפתא לקמיה ביומא טבא לא הוה חזי לה אלא כי יתיב אקילקליתא. דאמר: דילמא לא מתבשרא, ואפילו לכלבים לא חויא.

And from that which transpired to Rabbi Akiva as well it can be derived that there is no constellation for the Jewish people, as Rabbi Akiva had a daughter, and Chaldean⁸ astrologers told him that on the same day that she enters the wedding canopy, a snake will bite her and she will die. She was very worried about this. On that day, her wedding day, she took the ornamental pin from her hair and stuck it into a hole in the wall for safekeeping, and it happened that it entered directly into the eye of the snake. In the morning, when she took the pin, the snake was pulled and came out with it.

Her father Rabbi Akiva said to her: What did you do to merit being saved from the snake? She told him: In the evening a poor person came and knocked on the door, and everyone was preoccupied with the feast and nobody heard him. I stood and took the portion that you had given me and gave it to him. Rabbi Akiva said to her: You performed a mitzva, and you were saved in its merit. Rabbi Akiva went out and taught based on this incident that even though it is written: "And charity will save from death" (Proverbs 10:2), it does not mean that it will save a person only from an unusual death, but even from death itself.

And from that which transpired to Rav Nahman bar Yitzhak as well it can be derived that there is no constellation for the Jewish people, As Chaldean astrologers told Rav Nahman bar Yitzhak's mother: Your son will be a thief. She did not allow him to uncover his head. She said to her son: Cover your head^{NH} so that the fear of Heaven will be upon you, and pray for Divine mercy. He did not know why she said this to him. One day he was sitting and studying beneath a palm tree that did not belong to him, and the cloak fell off of his head. He lifted his eyes and saw the palm tree. He was overcome by impulse and he climbed up and detached a bunch of dates with his teeth. Apparently, he had an inborn inclination to steal, but was able to overcome that inclination with proper education and prayer.

MISHNA One may cut the pumpkins before an animal on Shabbat, as long as they were picked prior to Shabbat. And likewise one may cut an animal carcass before the dogs on Shabbat. Rabbi Yehuda says: If it was not already a carcass, i.e., it was not dead, prior to Shabbat, it is prohibited to cut it or even move it on Shabbat because it is not prepared for use on Shabbat.

GEMARA A dispute between the *amora'im* with regard to the prohibition of set-aside on Shabbat was stated. *Ayin, reish, lamed, shin, het, zayin* is a mnemonic for the names of the *amora'im* who stated the following *halakhot*. Ulla said: The *halakha* is in accordance with the opinion of Rabbi Yehuda, who holds that there is a prohibition of set-aside on Shabbat. And Shmuel said: The *halakha* is in accordance with the opinion of Rabbi Shimon.

And Rav also holds that the *halakha* is in accordance with the opinion of Rabbi Yehuda. From where is it ascertained that this is Rav's opinion? From that which was taught with regard to the mats that are on ships; Rav prohibited moving them on Shabbat due to the prohibition of set-aside, and Shmuel permitted moving them. And Levi also holds that the *halakha* is in accordance with the opinion of Rabbi Yehuda, as can be seen from his practice when they would bring a slaughtered animal with regard to which there was concern that it was an animal with a condition that will cause it to die within twelve months [*tereifa*], before Levi on a Festival. He would examine it only when he was sitting near a garbage dump, as he said: Perhaps it would not be determined to be kosher and it would not be suited even for dogs, and then it would be prohibited to move the carcass. Apparently, he holds that it is prohibited to move a carcass that was not prepared for use before Shabbat.

בְּהֵמַת קֹדְשִׁים – A consecrated animal that died without being redeemed can no longer be redeemed or regain non-sacred status. Therefore, it is prohibited to derive benefit from it. On Shabbat and Festivals it is set-aside according to all opinions, similar to a clump of dirt or raw materials, whose set-aside status is even more stringent than that of prohibited vessels.

ושמואל אומר: הלכה כרבי שמעון. ואף זעירי סבר הלכה כרבי שמעון דתנן: בהמה שמתה – לא יזונה ממקומה, ותרומא זעירי: בבִּהְמַת קֹדְשִׁים, אֲבָל בְּחֻלִּין – שפיר דמי. ואף רבי יוחנן אומר: הלכה כרבי שמעון. ומי אומר רבי יוחנן הכי? והא אומר רבי יוחנן: הלכה כסתם משנה, ותנן:

And Shmuel said: The *halakha* is in accordance with the opinion of Rabbi Shimon, who holds that the prohibition of set-aside does not apply on Shabbat. And Ze'iri also holds that the *halakha* is in accordance with the opinion of Rabbi Shimon, as we learned in a mishna: With regard to an animal that died on Shabbat, one may not move it from its place on Shabbat. And Ze'iri explained: This prohibition only applies to a consecrated animal,⁴ as consecrated items may not be fed to dogs in deference to their sanctity; therefore, it is set-aside and may not be moved on Shabbat. However, in the case of a non-sacred animal, one may well move it and use it because it does not have set-aside status. And Rabbi Yohanan also said that the *halakha* is in accordance with the opinion of Rabbi Shimon. The Gemara asks: And did Rabbi Yohanan really say that? Didn't Rabbi Yohanan say: The *halakha* is in accordance with an unattributed mishna, and we learned in a mishna:

Perek XXIV

Daf 157 Amud a

אין מבקעין עצים מן הקורות, ולא מן הקורה שנשברה ביום טוב! רבי יוחנן, ההוא – כרבי יוסי בר יהודה מתני לה. תא שמע: מתחילין בערימת התבן, אבל לא בעצים שבמוקצה! התם בארזי ואשוחי, דמוקצה מחמת חסרון כים אפילו רבי שמעון מודה.

One may chop wood neither from beams set aside for building nor from a beam that broke on a Festival.⁴ Apparently, this unattributed mishna is in accordance with the opinion of Rabbi Yehuda. The Gemara answers that Rabbi Yohanan answered: That mishna is actually in accordance with the opinion of Rabbi Yosei bar Yehuda, which is an individual opinion. Come and hear: One may start a fire on a Festival with a pile of straw⁴ but not with wood that is from the wood storage behind one's house, because that wood is set aside for other uses. Apparently, this is an unattributed mishna in accordance with the opinion of Rabbi Yehuda with regard to the prohibition of set-aside. The Gemara answers: There, the mishna is referring to wood from cedar and fir trees that are set aside due to monetary loss. Even Rabbi Shimon concedes that the prohibition of set-aside is in effect in that case.

תא שמע: אין משקין ושוחטין את המדבריות, אבל משקין ושוחטין את הביתות!

Come and hear a proof from another mishna: One may neither give water to nor slaughter non-domesticated desert animals, animals that are always grazing in the fields. Since people do not generally tend to them, they are considered set-aside and may not be used. Giving them water would ease removal of their hides. However, one may give water to and slaughter domesticated animals.⁴ This is apparently an unattributed mishna in accordance with the opinion of Rabbi Yehuda.

רבי יוחנן סתמא אחרינא אשבח, "בית שמאי אומרים: מגביהין מעל השלחן עצמות וקליפין, ובית הלל אומרים: מסלק את הטבלה בולה ומנערה". ואמר רב נחמן: אנו אין לנו אלא בית שמאי כרבי יהודה, ובית הלל כרבי שמעון.

The Gemara answers: Rabbi Yohanan found a different unattributed mishna in accordance with the opinion of Rabbi Shimon. Beit Shammai say: One may lift bones and peels and shells, which are set-aside, from the table on Shabbat. And Beit Hillel say: One must remove the entire board from atop the table and shake it; however, he may not lift the set-aside objects. And Rav Nahman said to reverse the two opinions, and we have only Beit Shammai in accordance with the opinion of Rabbi Yehuda, and Beit Hillel in accordance with the opinion of Rabbi Shimon. As the *halakha* is always ruled in accordance with the opinion of Beit Hillel, this mishna has the authority of an unattributed mishna.

HALAKHA

One may chop wood neither from beams set aside for building nor from a beam that broke on a Festival – אין מבקעין עצים מן הקורות, ולא מן הקורה שנשברה ביום טוב: One may not chop wood on a Festival from beams that were set aside for building, or from a beam that broke on the Festival (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 2:12; *Shulḥan Arukh*, *Orah Hayyim* 501:1).

One may start a fire with a pile of straw – מתחילין בערימת התבן: One may take kindling from piles of straw on a Festival *ab initio*, if the straw was designated exclusively for that purpose (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 2:11; *Shulḥan Arukh*, *Orah Hayyim* 518:7).

Giving water to and slaughtering animals – השקאת ושחיטת:

בהמות: On a Festival, one may not give water or food to fish and birds that are set-aside, lest one come to take one for slaughter. However, one may slaughter or give water to animals that graze outside of the boundaries of the city and come back at night to sleep within it, because they are considered to be designated for eating from before the Festival (Rambam *Sefer Zemanim*, *Hilkhot Yom Tov* 2:2, 17; *Shulḥan Arukh*, *Orah Hayyim* 496:2, 498:3).

In all of the *halakhot* of Shabbat – **בְּכָל הַשַּׁבָּת כּוֹלָה** – The Gemara here is referring not only to the prohibition of set-aside, but also to Rabbi Shimon's opinion with regard to all *halakhot* of Shabbat, including his rulings concerning unintended actions and prohibited labor not necessary for its own sake (Rashba).

Earthenware vessel [*tafiyah*] – **טַפִּיחַ**: The *ge'onim* explained that *tafiyah* refers to a type of plant used to fill a window or to a type of wicker basket.

Nullification of vows and dissolution of vows – **הַפְּרַת נְדָרִים** – **הַתֵּרַת נְדָרִים**: The *halakhot* of vows and their nullification are stated in the Torah (Numbers 30) and explained in an entire tractate, tractate *Nedarim*. In essence, when either a young woman still under her father's auspices or a married woman takes a vow, her father or her husband respectively can nullify the vow on the day that he hears it if he does not approve of it. The Sages explained based on the verses that this is permitted only in certain situations. Only vows taken with regard to matters between the woman and her husband or between the young woman and her father can be nullified. Vows that do not affect the woman's relationship with her husband or father cannot be nullified. Vows may not only be nullified; one may also request that a sage dissolve his vow. Although this does not appear explicitly in the Torah, the Sages found allusions to it in the same portion. One who took a vow can request that a single Sage or a court of three dissolve it. Tractate *Nedarim* deals extensively with the problems that arise in this process. The standard scenario involves the person who took the vow declaring that he did not initially anticipate that it would be so difficult to fulfill the vow, and had he known, he would not have taken the vow in the first place. There is no designated time frame for dissolving one's vows and one can request that his vows be dissolved at any time. There are also some vows that a Sage cannot dissolve, e.g., a vow made to another person, which would require that person's agreement to dissolve it. In addition, a vow cannot be dissolved if it was taken before a large group and was contingent on their agreement.

HALAKHA

Nullification of vows on Shabbat – **הַפְּרַת נְדָרִים בַּשַּׁבָּת**: A husband may nullify his wife's vows on Shabbat even if it has no impact on Shabbat itself, as if he fails to do so, he will not have another chance. However, he may not say to her: It is nullified. He nullifies it in his heart and says to her: Take it and eat, or: Take it and drink (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 13:8; *Shulhan Arukh*, *Yoreh De'a* 234:24).

Dissolution of vows on Shabbat – **הַתֵּרַת נְדָרִים בַּשַּׁבָּת**: It is permitted to request that a Sage dissolve one's vows on Shabbat for the purpose of Shabbat, even if he could have requested before Shabbat that they be dissolved (Rambam *Sefer Hafla'a*, *Hilkhot Shevuot* 6:6 and *Sefer Zemanim*, *Hilkhot Shabbat* 24:6; *Shulhan Arukh*, *Yoreh De'a* 228:3).

פְּלִגִּי בֵּה רַב אַחָא וְרַבִּינָא, חָד אָמַר: בְּכָל הַשַּׁבָּת כּוֹלָה הַלְכָה כְּרַבִּי שְׁמַעוֹן, לְבַר מְמוּקָצָה מִחֻמַּת מֵיאוּם, וּמֵאִי נִיהוּ – נֵר יֶשֶׁן. וְחָד אָמַר: בְּמוּקָצָה מִחֻמַּת מֵיאוּם נִמִּי הַלְכָה כְּרַבִּי שְׁמַעוֹן, לְבַר מְמוּקָצָה מִחֻמַּת אִיסוּר וּמֵאִי נִיהוּ – נֵר שְׁהַדְלִיקוּ בֵּה בְּאוֹתָהּ שַׁבָּת. אָבֵל מוּקָצָה מִחֻמַּת חֶסֶד כִּים – אֶפְּלִי רַבִּי שְׁמַעוֹן מוֹדָה, דִּתְנִן: כָּל הַכֵּלִים נִטְלִין בַּשַּׁבָּת, חוּץ מִמֶּסַךְ הַגָּדוֹל וְיֵתֵד שֶׁל מַחֲרִישָׁה.

מתני' מִפְּרִין נְדָרִים בַּשַּׁבָּת, וְנִשְׁאַלִין לְנְדָרִים שֶׁהוּא לְצוּרֵךְ הַשַּׁבָּת. וּפּוֹקֵקִין אֶת הַמָּאוֹר, וּמוֹדְדִין אֶת הַמְטָלִית, וּמוֹדְדִין אֶת הַמְקוּהָ. וּמַעֲשֶׂה בַיּוֹם אָבִיו שֶׁל רַבִּי צִדּוֹק וּבַיּוֹם אָבִא שְׁאוּל בֶּן בְּטִמָּת, שֶׁפָּקְקוּ אֶת הַמָּאוֹר בְּטַפִּית, וְקִשְׁרוּ אֶת הַמְקִידָה בְּגִמִּי לִידַע אִם יֵשׁ בְּגִיטָה פּוֹתַח טַפַּח אִם לֹא. וּמַדְבִּירֶיהֶם לְמַדְנָה שְׁפוֹקֵקִין וּמוֹדְדִין וְקוֹשְׁרִין בַּשַּׁבָּת.

גמ' אִיבַעְיָא לְהוּ: הֲפֶרָה – בֵּין לְצוּרֵךְ וּבֵין שְׁלֵא לְצוּרֵךְ; וּשְׁאַלָה – לְצוּרֵךְ – אִין, שְׁלֵא לְצוּרֵךְ – לֹא. וּמִשּׁוּם הָכִי קִפְּלִינָהּ מִהֲדָדִי.

או דילמא: הֲפֶרָה נִמִּי לְצוּרֵךְ – אִין, שְׁלֵא לְצוּרֵךְ – לֹא. וְהָא דְקָא פְּלִיג לְהוּ מִהֲדָדִי – מִשּׁוּם דִּהֲפֶרָה אִין צְרִיךְ בֵּית דִּין, וּשְׁאַלָה צְרִיכָה בֵּית דִּין?

תָּא שְׁמַע, דִּתְנִי זוּטֵי דְבִי רַב פָּפָא: מִפְּרִין נְדָרִים בַּשַּׁבָּת לְצוּרֵךְ הַשַּׁבָּת. לְצוּרֵךְ הַשַּׁבָּת – אִין, שְׁלֵא לְצוּרֵךְ הַשַּׁבָּת – לֹא.

Rav Aha and Ravina disputed this matter. One said: In all of the *halakhot* of Shabbatⁿ in which there is a tannaitic dispute involving Rabbi Shimon, the *halakha* is in accordance with the opinion of Rabbi Shimon, except for the case of an item set aside due to repulsiveness. And what is that case? It is the case of an old oil lamp, which may not be moved on Shabbat, contrary to Rabbi Shimon's opinion. And one said: In the case of an item set aside due to repulsiveness, the *halakha* is also in accordance with the opinion of Rabbi Shimon. The *halakha* is in accordance with the opinion of Rabbi Shimon except for the case of set aside due to prohibition. And what is that case? It is the case of moving an oil lamp that one kindled for that very Shabbat. However, with regard to an item set aside due to monetary loss, even Rabbi Shimon concedes that it is prohibited to move that item, as we learned in a mishna according to his position: All vessels may be moved on Shabbat except for a large saw and the blade of a plow, both of which are prohibited. Due to their significance, their owners make certain that they will not be damaged.

MISHNA A father or husband may nullify his daughter's or his wife's vows on Shabbat,ⁿ and one may request from a Sage to dissolve vowsⁿ that are for the purpose of Shabbat. Failure to dissolve the vow will compromise one's fulfillment of the mitzva to delight in Shabbat. And one may seal a window on Shabbat to prevent light from entering, and one may measure a rag to determine whether or not it is large enough to contract ritual impurity, and one may measure a ritual bath to determine if it contains enough water for immersion. The mishna relates that there was an incident in the time of Rabbi Tzadok's father and the time of Abba Shaul ben Botnit, in which they sealed a window using an earthenware vesselⁿ and tied an earthenware shard with a long reed-grass with a temporary knot, in order to ascertain whether or not the roofing had an opening the size of a handbreadth. And from their statements and their actions, we derived that one may seal a window, and measure, and tie a knot on Shabbat.

GEMARA We learned in the mishna that it is permitted to nullify vows and to request that Sages dissolve vowsⁿ for the purpose of Shabbat. In an attempt to understand the mishna, a dilemma was raised before the Sages: Is nullification of vows on Shabbat permitted both for the purpose of Shabbat and when it is not for the purpose of Shabbat? And the request to dissolve vows, when it is for the purpose of Shabbat, yes, it is permitted, but when it is not for the purpose of Shabbat, no, it is prohibited? And is it due to that distinction that the *tanna* of the mishna separated the cases from each other and listed them separately?

Or perhaps with regard to nullification of vows on Shabbat as well, when it is for the purpose of Shabbat, yes, it is permitted, but when they are not for the purpose of Shabbat, no, it is prohibited; and the fact that the *tanna* of the mishna separated the cases from each other and listed them separately is due to the fact that for nullification one does not require a court, and a husband or father can nullify a woman's vows on his own, but for the request to dissolve vows one requires a court.

Come and hear a resolution to the dilemma from that which the Sage, Zutei, of the school of Rav Pappa taught: One may nullify vows on Shabbat for the purpose of Shabbat. Apparently, when the nullification is for the purpose of Shabbat, yes, it is permitted to nullify vows, but when it is not for the purpose of Shabbat, no, it is prohibited.

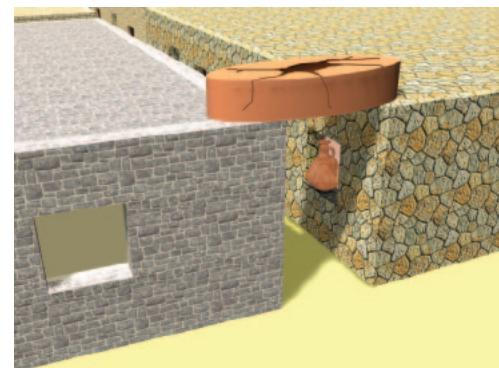
The time for nullification of vows – זמן הפרת נדרים – A father or husband can nullify his daughter's or wife's vows for the entire day on which he hears about the vow. The day is defined not as a twenty-four hour period, but rather from nightfall to nightfall. As soon as night falls after the vow was taken, it can no longer be nullified (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 12:15; *Shulhan Arukh*, *Yoreh De'a* 234:21).

LANGUAGE

Small alleyway [*heilketi*] – הֵילֵקֵטִי: From the Greek εἰρκτή, *eirkte*, meaning a closed place, the inside of a house, and the like. The letters r and l are commonly interchanged.

BACKGROUND

Ritual impurity between houses – הטומאה בין הבתים: The impurity is imparted by a corpse beneath the cracked roofing between the houses. In the image below, the window facing the alleyway was sealed with an earthenware vessel to prevent the ritual impurity from entering the house.



Ritual impurity between houses

לישנא אחרינא, איבעיא להו: "לצורך" אתרווייהו קתני, ושללא לצורך – לא, אלמא: הפרת נדרים מעת לעת. או דילמא: כי קתני לצורך – אשאלה הוא דקתני, אבל הפרת נדרים – אפילו שלא לצורך. אלמא: הפרת נדרים כל היום.

The Gemara cites another version of the dilemma that was raised before the Sages. Was the phrase: When they are for the purpose of Shabbat, taught about both of them, and nullification is only permitted for the purpose of Shabbat, but when it is not for the purpose of Shabbat, no, it is prohibited? If so, apparently, nullification of vows may be performed for an entire twenty-four hour period⁴ after hearing the vow, and the father or husband can wait until after Shabbat to nullify the vow if he does not need to do so for the purpose of Shabbat. Or perhaps when the mishna taught that it is permitted when the nullification is for the purpose of Shabbat, that was taught only with regard to the request to dissolve that which was prohibited by the vow, but nullification of vows may be performed on Shabbat even when it is not for the purpose of Shabbat. If so, apparently nullification of vows may be performed only for the entire day that the husband or father heard the vow. Once Shabbat concludes, the vow may longer be nullified. Therefore, even vows whose nullification is not for the purpose of Shabbat may be nullified on Shabbat.

תא שמע; דתני רב זוטי דבי רב פפי מפירין נדרים בשבת לצורך השבת. לצורך השבת – אין, שלא לצורך השבת – לא. אלמא: הפרת נדרים מעת לעת.

Come and hear a resolution to the dilemma from that which the Sage, Zutei, of the school of Rav Pappa taught: One may nullify vows on Shabbat for the purpose of Shabbat. Apparently, when the nullification is for the purpose of Shabbat, yes, it is permitted to nullify vows, but when it is not for the purpose of Shabbat, no, it is prohibited. If so, apparently nullification of vows may be performed for the entire twenty-four hour period after hearing the vow.

אמר רב אשי, והאנן תנן: הפרת נדרים כל היום, ויש בדבר להקל ולהחמיר. כיצד? נדרה לילי שבת – מיפר לילי שבת ויום השבת עד שתחשך, נדרה עם חשכה – מיפר עד שלא תחשך, שאם לא הפר משחשכה – אינו יכול להפר. תנאי היא, דתנא: הפרת נדרים כל היום, רבי יוסי בר יהודה ורבי אלעזר ברבי שמעון אמרו: מעת לעת.

Rav Ashi said: Didn't we learn in a mishna that one may nullify vows for the entire day, and there is both a leniency and a stricture in this matter to extend or curtail the period during which the vow may be nullified. How so? If the woman vowed on Shabbat evening, her father or husband may nullify the vow on Shabbat evening and on Shabbat day until dark. However, if she vowed before Shabbat at nightfall, her father or husband may only nullify the vow until nightfall, as if he did not nullify the vow before nightfall, he can no longer nullify it because the day ended. The Gemara answers that this issue is subject to a tannaitic dispute, as it was taught in a *baraita*: One may nullify vows for the entire day. Rabbi Yosei bar Yehuda and Rabbi Elazar, son of Rabbi Shimon, said: For a twenty-four hour period.

"ונשאלים לנדרים". איבעיא להו: בשללא היה לו פנאי, או דלמא: אפילו היה לו פנאי? תא שמע: דאדוקיקו ליה רבנן לרב וזוטא בריה דרב וירא, ושרו ליה נדריה ואף על גב דהיה ליה פנאי.

We learned in the mishna: And one may request from a Sage to dissolve vows on Shabbat. A dilemma was raised before the Sages: Is this only permitted when one did not have time to request to have the vow dissolved before Shabbat, or perhaps it is permitted even if one had time before Shabbat to request to have his vow dissolved? Come and hear a resolution to this dilemma from the fact that the Sages attended to Rav Zutra, the son of Rav Zeira, and dissolved his vow even though he had time to request its dissolution before Shabbat.

"שפקקו את המאור בטפית וקשרו את המקיפה בגמי". אמר רב יהודה אמר רב: הילקטי קטנה היתה בין שני בתים, [טומאה היתה שם].

The mishna related: They sealed a window using an earthenware vessel and tied an earthenware shard with a long reed-grass. Rav Yehuda said that Rav said in explanation: There was a small alleyway [*heilketi*]¹ between two houses, and there was ritual impurity imparted by a corpse there in the alleyway,²

NOTES

There was ritual impurity imparted by a corpse there – טומאה היתה שם: The Rambam explains that the corpse was in one of the houses and there was a window with a glass windowpane between the two houses. The glass broke and they were uncertain whether or not there was an opening

of a handbreadth through which the ritual impurity could spread. Therefore, they sealed the broken windowpane with a small piece of earthenware and then measured it to see if the opening was the size of a handbreadth (Rambam's Commentary on the Mishna).

HALAKHA

They tied an earthenware shard – וְקָשְׂרוּ אֶת הַמְּקִידָה For the sake of a mitzva, such as taking measurements that are required by the Torah, it is permitted to tie a non-permanent knot on Shabbat, even one that requires professional skill (*Magen Avraham*; Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 10:6; *Shulḥan Arukh*, *Orah Ḥayyim* 317:1).

Measurement for a mitzva – מִדִּידָה דְּמִצְוָה It is permitted to think about, speak about, or measure things that pertain to religious matters and the fulfillment of mitzvot (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 24:5; *Shulḥan Arukh*, *Orah Ḥayyim* 306:7).

NOTES

Whether or not there is an opening there in the roofing the size of a handbreadth – **אִם יֵשׁ שָׁם בְּגִיט פּוֹתֵחַ טֶפַח**: Some explain this to mean that there was not an entire corpse in either of the houses. Rather, there was an olive-bulk of a corpse directly beneath the opening in the roofing. If the hole in the roofing was the size of a handbreadth, the ritual impurity would not spread to the entire area beneath the roofing. Some explained that the earthenware shard was not permanently affixed to the opening, and therefore it is not considered to have sealed it (*Me'iri*). Others explain that they measured the roofing that remained surrounding the opening. If its area was a handbreadth, then it would assume the legal status of a tent and would transmit ritual impurity to objects beneath it (Rabbi Elazar Moshe Horowitz).

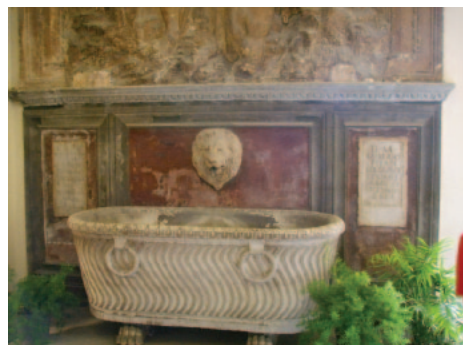
Merely acting unawares – מִתְּעַסֵּק בְּעֵלְמָא The Sages ruled that one who had no intention whatsoever to perform a given action is liable only for violations involving forbidden animal fats or forbidden sexual relations, due to the pleasure derived from them. However, with regard to the *halakhot* of Shabbat, one has no liability in that situation due to the principle that one is liable on Shabbat only for planned, thoughtful, creative labor.

LANGUAGE

Tub [avna] – אַוּנָא: Apparently, this should be read as *avazana*, from the Middle Persian *ābzān*, meaning bathtub.

BACKGROUND

אֵוּנָא דְּמִיָּא – Tub of water



Bathtub for a single person found in Masada, from the end of the second Temple period

וְגִיטָה סְדוּקָה מוֹנִיחַת עַל גִּבָּן. וּפָקְקוּ אֶת הַמְּאֹר בְּטִפְתִּיחַ וְקָשְׂרוּ אֶת הַמְּקִידָה בְּגִמְי, לִידַע אִם יֵשׁ שָׁם בְּגִיטָה פּוֹתֵחַ טֶפַח אִם לֹא.

and there was a cracked roofing placed atop the two houses. If the roofing was intact it would have the legal status of a tent over a corpse, rendering everything in the alleyway, and, through the windows, everything in the houses, ritually impure. However, since the roofing was cracked and the corpse was directly beneath the opening, if the opening was the size of a handbreadth or more, the entire alleyway and the houses would not become impure. Only the area directly over the corpse extending through the opening is impure. **And that is the reason that they sealed the window of the house with an earthenware vessel**, so that the ritual impurity would not enter the houses, **and they tied an earthenware shard^h with a long reed-grass** inserted into the opening in the roofing in order to ascertain whether or not there is an opening there in the roofing the size of a handbreadth.ⁿ

”וּמִדְּבִרֵיהֶם לְמִדְּנוּ שְׁפוּקְקִין וּמוֹדִדִין וְקוֹשְׂרִין בַּשַּׁבָּת.” עוֹלָא אִיקְלַע לְבִי רִישׁ גְּלוּתָא. חֲזִייה לְרַבָּה בַּר רַב הוּנָא דִּיתִיב בְּאַוּנָא דְּמִיָּא, וְקָא מִשַׁח לִיה. אָמַר לִיה: אֵימַר דְּאַמְרִי רַבְּנָן מִדִּידָה דְּמִצְוָה, דְּלֹא מִצְוָה מִי אָמַר? אָמַר לִיה: מִתְּעַסֵּק בְּעֵלְמָא אֲנָא.

The mishna concludes: **And from their statements and their actions, we derived that one may seal a window, and measure, and tie a knot on Shabbat.** The Gemara relates: **Ulla happened to come to the house of the Exilarch. He saw Rabba bar Rav Huna sitting in a tub [avna]^l of water^b and measuring it.** He said to Rabba bar Rav Huna: **Say that the Sages said that it is permitted to measure on Shabbat only a measurement for a mitzva.^h** However, with regard to a measurement like this one, **which is not for a mitzva, did they say that it is permitted?** Rabba bar Rav Huna said to him: **I am merely acting unawaresⁿ and am not at all interested in the measurements.** Therefore, it is not prohibited.

הדרן עלך מי שהחשיך
וסליקא לה מסכת שבת

Summary of **Perek XXIV**

Although driving a laden animal on Shabbat is prohibited by Torah law, the Sages concluded that this activity is not one of the thirty-nine prohibited labors for which one is liable to be punished with stoning. Rather, it is an independent prohibition with its own source, and it is not as severe as the thirty-nine prohibited labors. Therefore, the Sages permitted making use of animals in cases of significant need, such as in order to avoid a financial loss, provided one does so differently than usual. With regard to the parameters concerning food preparation for animals on Shabbat, it appears that anything which is absolutely necessary for the animal may be done on Shabbat as long as it does not involve a full-fledged prohibited labor. This includes handling set-aside items and preparing food. However, even rabbinic prohibitions may not be violated for anything non-essential or in order to provide an animal a higher level of comfort.

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