

## Daf Digest

הָא דְקָאֵמַרְתָּ שְׁנֵי חֵלְקֵי מַיִם וְאַחַד יַיִן מִן הַיַּיִן הַשְּׂרֹוֹנִי

The proper proportion to dilute wine is: two parts water and one part wine.

Abaye: That is the wine of Sharon.

Rava: The correct ratio is three parts water to one part wine.

Rashi - The dilution that produces the most superior wine, three parts water to one part wine, deprives wine of its true color. Thus we see that wine that is not truly red, as long as it is not very pale, may be considered a superior wine and may be used for Kiddush.

Rambam - Maintains that white wine may never be used for Kiddush.

Shulchan Aruch - Rules leniently, but prefers red wine.

Shemiras Shabbos k'Hilchasa - Recommends adding some red wine to white wine to color it.

However, if the white wine is a better wine, it is preferable to an inferior red wine.

Ketzos HaShulchan and Mishnah Berura agree.

## לֹא בָרָא דְבָר אֶחָד לְבִטּוּלָה

Whatever HaShem created in this world has its purpose. Nothing is superfluous.

Some small item of creation may produce a great benefit for man.

Some may be used to punish the wicked who deserve suffering, such as the Roman Emperor Titus who destroyed the Beis HaMikdash. The Talmud (in Gittin 56b) relates how HaShem sent a tiny mosquito to enter Titus's nose, climb into his brain and cause him years of agony and finally, death. The tiny mosquito that we think of only as a pest, had this important function. Nothing is superfluous.

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## אֵימַת מִפְּגִיַע עַל אֲרִי

Fear of the mafgia upon the lion.

A mafgia is a small animal with sharp claws that can a frighten a lion with its loud voice.

A lion chased the mafgia into a pit. As the pit narrows, the lion gets caught and the mafgia escapes through the other end of the pit. The mafgia then returns to where the lion is trapped, and the mafgia kills the lion.

This same small animal is afraid of dogs, which are able to kill it.

When a lion, a mafgia and a dog meet, there is a stand off. The lion wants to kill the dog but is afraid of the mafgia, which only the dog can overpower. The dog will not kill the mafgia because only it can hold off the powerful lion and the mafgia does not kill the lion because then the dog will be free to go after it.

Rabbi Akiva was impressed by the great wisdom in the symphony of creation.

בְּבְרִיתוֹ שֶׁל עוֹלָם דְּבְרִישָׁא חֲשׁוּכָא וְהָדָר נְהוּרָא

The world was created beginning with darkness which was followed by light.

This teaches us that we should not be surprised to find many difficult things in this world that represent evil and darkness. Clearing them up may take great effort and labor, but benefits can be achieved by overcoming them.

HaShem may motivate us to prayer by directing some element of distress or fear in order for us to call out to him, as he did with the matriarchs who were barren (Yevamos 64a). This encouraged the matriarchs, or others on their behalf, to pray for them to overcome the difficulty.

## שְׂכִיחָא וּשְׂכִיחָא אֲזוּל רַבָּנָן בְּתַר דְּשְׂכִיחָא לְחוּמְרָא

When we find that a commodity has multiple functions, we determine the volume for the laws of Shabbos, based on the most prevalent usage.

Rambam - Bran (Hilchos Shabbos 18.6)

- for eating - a size of a dried fig.
- for animal feed - an amount to fill the mouth of a goat.
- for dye - enough to color a small garment.

Why does Rambam change the volume based on use, if the most common use is for eating?

The Halachah is that we use the volume of the most common usage, whether a person specifically stated his intentions or not.

However, if the types of utility are equally common, we then follow the person's intent, even if it results in a lenient outcome. This explanation is questioned by the Mishnah L'melech, who points out that it is common to use milk for drink or cheese, yet we prohibit more than the smaller amount.

אַלֵּא מֵיִם מִכְּדֵי שְׁתִּיּוֹתוֹ שְׂכִיחָא רְפוּאָתוֹ לֹא שְׂכִיחָא

With regard to water, its use for drinking is common, its use for healing is uncommon.

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The most frequent use of an item dictates the volume that is used for the laws of Shabbos.

Water is used most commonly for drinking however, it is also a frequent component in salves and treatments of the eye. In fact, only water can do the job of healing eye ailments well. We, therefore, consider both usages of water, as a beverage and its medicinal value, as primary. If both are primary uses, we use the smaller measure to decide the laws of carrying on Shabbos.

## Daf Digest

## אָסוּר לְשִׁהוֹת שְׂטָר פְּרוּעַ

It is forbidden to retain a note for a loan that has been paid.

If a lender decides to forgo the debt owed to him but never verbalizes that decision, may he accept the money when the borrower brings it to him?

Ketzos HaChoshen - Decisions that are made internally, but never verbalized, are null and void.

Maharshal - A decision to forgo a debt made internally, is binding.

Aderes - ‘Devarim shebalev einam devarim’, ‘statements in the heart are not statements’. This principle only applies to contradict actions performed. In our case, no action was performed; it was all in his heart. ‘Not so,’ says Aderes, “the fact that he kept the deed and did not discard it when he decided to forgo the debt, proves his action of the heart was null and void. Therefore, he should accept the money the debtor offers him.”

# מִפְּנֵי שְׂצָרִיךְ לְהִרְאוֹתוֹ לְבַעַל חוֹב שְׁנִי

He needs to show it to a second lender.

If a person carries an item of at least minimal value from a private to a public domain on Shabbos, he is in violation.

What if he carries a piece of paper that is a paid-up debt note?

The debt has already been paid, so the paper has no value above its scrap paper value.

R Yehuda says, ‘No, it is valuable and he would be liable for punishment if he carried it on Shabbos.’

Rav Ashi says, ‘It has value in that it could be used by the borrower to show other potential lenders that he is a reliable person and that he pays his debts.’



## תְּפִילִין שֶׁבָלוּ וְסֵפֶר תּוֹרָה שֶׁבָלָה

Tefillin or a Sefer Torah that has worn out may not be used to make a Mezuzah .

“Because we do not bring down a greater sanctity to a lesser sanctity”.

What if the Sefer Torah was never kosher and could not be read in public because it had so many mistakes?

Chasam Sofer - The Gemara states that a Torah that has worn out cannot be made into a Mezuzah. This implies that a Torah scroll that has not worn out but only has mistakes that could be rectified, has a sanctity that is even greater and once repaired it could be used in public.

Maharal - You may read from a Sefer Torah that has missing or extra letters or mistakes, since the entire Torah is present in the scroll and it can be used to fulfill the congregational obligation.

Therefore, people should not refuse to accept an aliyah for fear that the Sefer Torah may have some mistakes. It is not required that a computer scan be done as long as the Sefer Torah is checked by a scribe.

אֵין עוֹשִׂין מֵהֶן מְזוּזָה

We cannot make a Mezuzah from them.

We are not allowed to salvage the relevant portions of the parchment of Tefillin or a Sefer Torah and make a Mezuzah from it, since that would be reducing its level of holiness.

To do this, if permitted, would require cutting the paragraph of Shema from the parchment and sewing onto it the other paragraph “vehaya im shamoah” or if the Shema was the bottom of the column, adding the ‘vehaya’ paragraph, by writing it in the blank space below.

Rashi - Rules that we are permitted sew several pieces of parchment together to make a Mezuzah (Menachos 32a).

Tosophos- Does not agree with Rashi that pieces of parchment can be sewn together for a Mezuzah.

## הוֹצִיא שְׂתֵי אוֹתוֹת וּכְתָבָן בְּשֶׁהוּא מְהַלֵּךְ חַיִּיב

A person who erased two letters worth of ink and wrote two letters while he was walking, is liable.

A person is liable if he carries an item from one domain to another and puts it down.

Case #1 A person wrote with ink on a piece of paper while continuing to walk in a public domain. He never put the paper down, but kept moving. This violates Shabbos.

Case #2 A person put a nut on an object floating on the water. The nut is stationary, i.e., put down, but it is still moving as it floats. This does not violate Shabbos.

Why the different results?

In case #2, it is not expected that the nut will remain floating forever and therefore its being “placed down” is only temporary and not necessarily significant.

In case #1, the ink is inscribed on the paper which is its final resting place.

This is a stable and stationary condition and is a complete example of something being “put down”, even while he is still moving.

כְּדֵי לִיתֵן בְּרֹאשׁ שִׁפְשֵׁף

Enough glue for the bird to be trapped.

The amount of glue to cause culpability on Shabbos, is the amount necessary to coat the bird's perch, which would make it so sticky, that a bird would be trapped on the glued perch.

## קָנָה בְּדֵי לַעֲשׂוֹת קוֹלָמוֹס

A reed is enough to make a pen.

May a Sefer Torah be written with

1. a feather quill?
2. a pen fashioned from a reed?
3. a metal-tipped pen?

Rema - Only a reed is permitted.

Shach - Reed is not required.

Taz - If a reed or quill pen is not available, a metal tipped pen is permitted.

Aruch HaShulchan - It is best not to use a metal tipped pen. An implement of metal is a substance usually employed to end a life, therefore, it should not be used to extend life, such as for a Sefer Torah.

# גְּדוּל כְּבוֹד הַבְּרִיּוֹת שְׂדוּחָה אֶת לֹא תַעֲשֶׂה שְׁבִתוֹרָה

Human dignity supersedes even a negative commandment of the Torah.

Example: ‘If you find a lost article, you may not ignore it’ (Deut 22:3). That is a negative commandment. However, the Rabbis gave an elderly or distinguished person permission not to pick up or return a lost object (Bava Metzia 30a).

The Rabbis state that if being seen with the lost object in public is not becoming, such a person could let the Mitzvah pass him by.

Our Gemara permits people to touch objects which are Muktzeh on Shabbos if no other methods are available. Muktzeh is a Rabbinic decree that can be superseded for purposes of preserving human dignity.

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**לְעוֹלָם אֵל יִמְנַע אָדָם אֶת עַצְמוֹ מִבֵּית הַמְדֻרָּשׁ וְאִפְּלוּ שְׂעָה אַחַת**

A person should never refrain from going to the study hall or from studying Torah, even for one moment.

How long is a person obligated to study Torah?

Rambam - Until the day he dies (Hil Talmud Torah halachah 1:10).

Shulchan Aruch - Until the day he dies.

Sefer HaChinuch - Ethical teaching and high principles should be studied even at the moment of death.

Rav Moshe Shmuel Shapiro - Suggests this may be the source of the custom to say Shema at the moment of death which fulfills this obligation to study Torah until the end.

The other portion of this dictum, i.e., going to the study hall, does not suggest that people go there to die rather, wherever the place a sincere scholar studies, has the status of a study hall and his teachings will reverberate in study halls of the community, emanating from the students he has taught. In that sense, he will die in the study hall.

לֹא תִסֵּיג גְּבוּל רֵעֶךָ

Don't plant next to the border of your neighbor.

This rule prevents planting seeds close to your neighbors field. Less than three Tefachim is too close. Being too close might violate the laws of kilayim, i.e., mixing species.

Each plant uses nutrients that might compete with the needs of his neighbor's plants and deny those plants the nutrients they need to flourish.

This rule recognizes the environmental and nutritional awareness of ancient people.

[I would think this principle could be used to prohibit the opening of a competing business close to an existing one. Give each the nourishment, i.e., clientele, that it needs.]



שָׁנְאָמַר ,, וַיְהִי בַיּוֹם הַשְּׁלִישִׁי בְּהִיּוֹתָם פְּאַבִּים''

And it was on the third day at the height of their pain.

Certainly there is pain after circumcision on the first and second day also, but it is the worst on the third day.

This is why the brothers of Dina did not avenge their sister on the men of Shechem until the third day.

Rambam - Therefore, we permit warming water to treat the wound of circumcision on Shabbos, only if the third day falls out on Shabbos, but not if it is the first or second day.

## מֹשֶׁה בִּהְשָׁכְמָה עֹלָה וּבִהְשָׁכְמָה יָרַד

Moshe was ready early in the morning to go up (Shemos 34:2).

Rabbi Menachem B Sacks - The climb to God. The spiritual drive to perfection, must begin early in one's life.

Bava Kama 92b - Partake of a hearty breakfast and “I will remove them from amongst you”(Shemos 23:25).

Bava Kama 17 - Sixty men can pursue one who has early meals in the morning and will not overtake him.

The more a person is nourished early in life, the stronger and more solid are the fibers of his spiritual foundation.

Mishle 22:6 - Shlomo HaMelech - “Educate a child in the way he should go and later in life, he will not depart from it.”

בְּתֵלְתָא אָמַר לְהוּ, וְאַתֶּם תְּהִיּוּ-לִי”

On Tuesday, he reported to them, “and you will be mine.”

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The Jewish people were charged with the mission to be an ‘Am Segulah’, a jewel and a treasure for Hashem.

Rav Simcha Bunim was visited by a wealthy gem dealer who was very critical of people in general and especially, if they were not wealthy. When the Rav spoke highly of a person, the merchant denigrated that person. The merchant then displayed beautiful jewels to the Rav who simply remarked. “I don’t think they are anything worth looking at,” The merchant was surprised and exclaimed, “My dear Rabbi, one has to be an expert in order to appreciate the true beauty of these stones.” The Rabbi said to him, “Yes, and to appreciate the worth and quality of people, you also have to be an expert to see their beauty and virtues”.

## שִׁבַּר אֶת הַלֻּחֹת

Moshe Rabbienu smashed the Tablets.

When Moshe saw the Golden calf, he smashed the Tablets. However, he was even more upset seeing the people dancing and celebrating this sinful event. When he saw the joy in their idol worshipping behavior, he decided they were not worthy to receive the tablets.

A man was drafted into the Russian army and had no choice but to survive by eating non-kosher food. He asked Reb Yisroel from Rhizin for advice and the Rabbi told him, “At least don’t suck the marrow out of the bones.” If you have to do something you do not wish to do, you are however, not required to savor and relish that activity. Don’t enjoy any sinful behavior.

## יִשָּׁר בְּחֶק שְׁשִׁיבֵרֶת

Congratulations that you broke them.

The word ‘Asher’ is close to the word Yaasher. Rashi explains that we can infer that its use here, suggests approval by God for the fact that Moshe broke the first set of Tablets.

However, an even greater indication of approval, is the fact that the broken pieces were gathered and kept in the Ark next to the second set of Tablets. If Moshe’s actions had been considered sinful, we would not have had the broken Tablets in front of us, as a reminder.

An accuser does not become an advocate, ‘Ain kategur naaseh knegur’.

## וְקָמִי פְּלִגִּי בְּשַׁבַּת הַמָּרָה

And they disagree regarding the scope of Shabbos laws given at Marah.

The commandment to observe Shabbos was given at Marah, before the revelation at Sinai (Ex 16:22-30). The generation of the Exodus were circumcised before they left Egypt and were immersed immediately before being given the Torah at Sinai. Therefore, at the time of the first Pascal sacrifice, their status was of circumcised converts who had not, as yet, undergone immersion. Therefore, the obligation to observe Shabbos is binding on all who have been circumcised but have not yet undergone immersion.

A non-Jew is not supposed to practice the laws of Judaism. However, here we see that Sabbath observance by a person not yet having completed the conversion process may be obligated to observe the Sabbath.

לְחֻנֵּיתוֹ

It was the sixth day of their encampment.

Therefore, it is called Shabbos HaGadol, because great miracles occurred on it (Tosophos).

The Shabbos before Pesach is the anniversary of three great events:

1. The death of Miriam.
2. The crossing of the Jordan River.
3. Making the Egyptians aware that the first born of Egypt will be put to death.

The Egyptians asked the Hebrews, “why are you securing the sheep ?”

The Hebrews answered, “Because God is going to slay the firstborn of Egypt and we need the sheep’s blood to mark our houses. ”The Egypt’s first born demanded that Pharaoh free the Jews, so Egyptian lives would be saved.

When Pharaoh refused, they waged war against him and killed many.

As it says, “He smote Egypt through its firstborn.” Although this happened on the tenth of Nissan, it is celebrated on the Shabbos before Pesach, so as not to conflict with the sadness of losing Miriam or the joy of entering Israel.

# בְּרִיךְ רַחֲמָנָא דִּיהֵב אֶרְיָאן תְּלִיתָאֵי

Blessed is the merciful one who gave our Torah of thirds.

To a people of thirds, to a man born third to his mother, on the third month.

In the third month after Bnei Yisroel had gone forth out of the land of Egypt, on the same day, they came into the wilderness of Sinai (Exodus 19:1).

We know from the story of Eliezar, the servant of Abraham, traveling from Beer Sheva to Charon to find a wife for Yitzchak, that God has the capacity to cause travel in an expedited fashion. Why didn't He do so here and save the 600,000 families the hardship of three months in the desert?

It was done allow us to understand that attaining the Torah is not acquired by means of short cuts. It requires a step by step approach.



מִפְּאֵן מוֹדְעָא רַבָּה לְאוֹרֵייתָא

This serves as notification of coercion regarding the acceptance of the Torah.

- Rashi - If God wishes to punish the Jewish people for not following the Torah, we can respond that we were coerced into accepting the Torah because God held mountain Sinai over our heads and as such, any agreement is vacated.
- Bava Basra 47b - If someone is forced to sell and finally agrees, the sale is valid.
- Rav Efrain Zalman Margolis - The sale is valid only if monies are paid. Here, there is no money being exchanged. Money needs to be exchanged because man is unreliable, but God can be depended on. Besides, a person cannot receive payment for following Mitzvot.
- There are things that a person does not wish to sell under any circumstances and even if coerced and money changes hands, he is not satisfied. This unspoken thought is known to God, and He has the ability to annul the transaction.

„קִיְמוּ וְקַבְּלוּ הַיְהוּדִים״ קִיְמוּ מֵה שְׁקִיבְלוּ בְּכָר

The Jews undertook and obligated themselves. They obligated themselves on that which they had already undertaken.

Chafetz Chaim - The generation of the desert accepted the obligations of the Torah, but with concerns for the future. Could they survive the animosity of the other nations? The generation of Mordechai witnessed the miracle of a nation changing its course from following the evil intention of Haman, to King Achasveros' support of the Israelites. The Israelites accepted the Torah now, willingly, seeing that they could live in exile successfully among the nations, with God's support.

עֲלוּבִין וְאִינָן עוֹלָבִין שׁוֹמְעִין חֶרְפָּתָן וְאִינָן מְשִׁיבִין

Those who are insulted, but do not insult. Those who hear themselves disgraced without answering back.

Of these people, the scripture says, ‘But they who love Him are as the sun, when the sun goes forth in its might’.

This compares such a person to the sun’s silence when challenged by the moon. Just as when the sun shines, it warms and sheds light on the bad as well as the good; so must the righteous brighten every one equally, with the rays of their love, insight and wisdom.

Such people have complete control over themselves. They have patience, tolerance and forbearance. They are able to overlook their pride and keep silent.

לְמִיּוֹמֵינוּ בָּה סָמָא דְחַיִּי לְמִשְׁמַאֲלִים בָּה סָמָא דְמוֹתָא

“To those who go to the right hand, the words of the Torah are a medication for life. For those who go to the left, it is a deadly poison”.

Torah, not for its own sake, examples:

1. One who serves Torah for material gain.
2. One who studies Torah in order to vex others by making himself disagreeable.
3. One who studies Torah so others will honor and praise him.

If he lives a life of merit, Torah is a medicine for him. However, if after studying, he is not an ethical person, the Torah is poison for him.

## תּוֹרָה הַיְכָן הִיא

Where did the Torah go?

Satan was surprised when Moshe took the Torah to earth. He knew that Moshe was in the Heavens to receive the Torah, but he thought it was too Holy to be entrusted to human beings. That is why he was so surprised.

The Torah is needed by man to study and incorporate its teachings, morals and ethics into man's unique spiritual and physical activities. Had Satan been aware of this, he might have tried to interfere with Moshe's mission.

# מִי שְׂמִיעַ לָךְ מֵאֵי הַר סִינַי

Have you ever heard what the meaning is of the word, Mt. Sinai?

What does it mean?

Sinai, sounds a lot like the word sinah, which means “hatred”.

Once the nations heard that the Israelites accepted the Torah at Sinai, which had been previously offered to them, hatred towards the Israelites, descended on all the nations of the world.

Anti-Semitism serves as a reminder that we accepted a special responsibility at Sinai.

The mountain upon which God’s hatred (sinah) of idolaters descended.

לֹא בְּסִבֵּי טַעֲמָא וְלֹא בְּדַרְדְּקֵי עֵצָה

There is no reason in old men and no counsel in children.

Only Isaac, who was not the oldest or the youngest son, could apply reason when the Israelites sinned.

Isaac had a son, Esau. Even though Esau was less than good, Isaac showed him his love and blessed him. Isaac could therefore, demand of God that He overlook the iniquities of his children and forgive them.

Joseph, as an inexperienced child, sinned by telling tales about his brothers. His inexperience failed to allow him to foresee the harm this would lead to. Later, as an adult, he was able to counsel even the elders of Egypt.

## אַמָּה עַל אַמָּה

A piece of iron, one amah by one amah.

If someone makes a pledge to give iron to the Beis HaMikdash, the minimum he may give is a plate, 1 amah square, the size of the roof tiles. These tiles were razor sharp and had nails on them specifically to keep the cruel raven birds away from the Beis HaMikdash.

The Beis HaMikdash is a place of mercy and compassion and not a place for the cruelty and selfishness of the raven.



## הַמְצִינֵי

If one stored.

In the Mishnah (Daf 75b), we learn that a person is liable for carrying on Shabbos, but only if he carried a certain minimal amount considered to be significant. The amount which is considered significant, is different for different substances. In this Mishnah, we learn that even much smaller amounts create liability and there is a need to sacrifice a Chatas for the Malachah of transferring.

If a person stored a minute amount of seed for planting to use as a sample to show a prospective customer, or to use as a medicine, and on Shabbos, he took out that which he stored to another domain, he is liable. Another person would not be liable for the minute amount that was transferred. He would be liable only for the volume mentioned in the previous (Daf 75b) Mishnah (usually the volume of a dried fig or a reviis for liquids).

Why so stringent for the first person? Because he has shown that this minute amount rises to the level of significance to him, because of its specific purpose and his circumstances.

מִקֵּק סְפָרִים וּמִקֵּק מִטְפָּחוֹתֵיהֶם כָּל שֶׁהוּא שֶׁמִצְנִיעִין אוֹתָן לְגוֹנָן

For the worm-eaten remains of Torah scrolls and their cloths, any part of them, should be respectfully stored in a Genizah.

A Sefer Torah that is worn or severely damaged or is basically unfit, you may:

- store it in an Aron in the Shul.
- bury it next to a Torah Scholar in an earthenware jar.
- bury the ashes, if it is burnt and only ashes remain.

The burial should be after a large public service, where uplifting words are delivered, to motivate the community to do soul searching and repentance.

בְּטוּלֵי בְּטָלָה מִחֻשְׁבָּתוֹ קָא מִשְׁמַע לֵן  
כָּל הָעוֹשֶׂה עַל דַּעַת רְאִשׁוֹנָה הוּא עוֹשֶׂה

Do you think his original intent has become nullified? This teaches us that anyone who acts, does so on the basis of his original intent.

A person meant to have a certain seed planted, but later forgot his intention, and carried it in his pocket on Shabbos. The original intent is in effect unless he specifically negated it.

This is also found regarding the laws of Tzitzis. A person must spin the strings for the purpose of the Mitzvah and must declare that intention verbally, for the strings to be Kosher. This bestows a special state of ‘lishma’, consecration. It exists ongoing for days, etc., until he, specifically and verbally, reverses it.

## הַמוֹצִיָּת אוֹכְלִין

If a person takes an item (foodstuffs)

If a person takes an item (i.e., foodstuffs) and places it on the threshold between his house and a public domain, the threshold has the status of being either a private domain or a public domain.

If he later takes the item into the public domain or if someone comes from the public domain and takes the item - neither are liable.

In order to be liable, a person must make the transfer between the private domain to the public domain or vice versa, in one single act.

If a person places a basket on the threshold and one-half is in and one-half is out, he is not liable. Unless the basket is taken out of the private domain and into the public domain, entirely, in one act, he is not liable.

## מִרְשׁוֹת הַיְחִיד לְרְשׁוֹת הַיְחִיד כּו'

A person is liable for carrying an object on Shabbos between domains, only if he carries it in a normal manner.

If he carries an object in an unusual manner, he is exempt both from capital punishment, if the sin is intentional, and from a Chatas, if unintentional.

By the term, “unusual manner”, we mean if the item is carried by his foot, in his mouth (except for food), in his armpit, in his ear, in his hair, hung over his belt, in the hem of his cloak, or in his shoe; he is not liable.

Usual methods of carrying would be in his right hand, on his shoulders, etc., then he would be liable.

## וּמִשָּׂא בְּנֵי קָהָת

The children of Kahat carried.

A Reshus haRabim extends only 10 tefachim high.

If a person carries an object on his shoulders, above 10 tefachim and never puts it down into the ten tefachim, is he liable for violating the laws of carrying on Shabbos?

Yes – Because he is standing below 10 tefachim.

No – When we find him liable, we assume he put it down eventually.

Rashi – He is liable.

Tosophos – No, if he keeps it above 10 tefachim and does not come to a halt.

There is a Machlokas between Rashi and Tosophos.

Explanation:

This law represents a novelty. Generally, the airspace above a public domain is exempt. If thrown into that space, the object lands on the side of a wall above 10 tefachim, he is exempt. However, in the above example, where the object was carried, not thrown, if a person comes to a halt while standing in a Reshus haRabim, it is as though he set it down and he is liable.

## Daf Digest

אֵין הַשְּׂכִינָה שׁוֹרָה אֶלָּא עַל חָכָם גְּבוּר וְעָשִׂיר וּבַעַל קוֹמָה

The Divine Presence rests only upon someone who is wise, strong, wealthy and tall.

- Rambam – The prophecy is only conferred on a person who is great in Torah, wisdom and exercises control of his character.
- Kesef Mishneh – This refers, also, to Nedarim 38, where Moshe's strength in being able to grab the huge tablets is stressed.
- Rav Chaim Shmuelewitz – Says both references are correct. A person whose mind is focused will be capable of great physical feats, as well.

הַמְתַּכְּוִין לְהוֹצִיא לְפָנָיו וְכֹא לוֹ לְאַחֲרָיו פְּטוֹר

- A person intended to perform a prohibited transfer but something happened.  
He is exempt.
- If he intended to carry an object in the normal manner (in front of him) but it shifted and he carried it in an abnormal manner, i.e., it slipped behind him, he is exempt
- If he intended to carry it in an abnormal manner but it shifted to a normal manner. Is he liable? Could it be anticipated that it might shift?
  - If yes, he is liable if it did so.
  - A woman's underskirt, if it shifted, she is liable, as it is expected to shift.
  - A letter carrier's pouch, if it shifted, he is liable, as it is expected to shift.



אֵין הַשְּׂכִינָה שׁוֹרָה אֶלָּא עַל חָכָם גְּבוּר וְעָשִׂיר וּבַעַל קוֹמָה

The Divine Presence rests only on a person who is wise, strong, wealthy and tall.

This appears to suggest that God favors people with these external qualities, but we must use the definitions given to us in Pirkei Avos.

Who is wise? He, who learns from all men.

Who is strong? He, who controls his own passions.

Who is wealthy? He, who is satisfied with his portion.

Who has the highest stature? He, who is humble.

## הַמוֹצִיא בְּפֶרֶד לְרֵשׁוֹת הַרְבִּים

If one takes a loaf of bread from a private domain out into a public domain – he is liable.

If two people take a loaf of bread, that each could carry alone, from a Reshus haYachid to Reshus haRabim – they are exempt. It would be classified as an unusual method of carrying.

If two people are needed to carry a heavy loaf (or other object) and the two carry it on Shabbat from a Reshus haYachid to Reshus haRabim– they are both liable.

(This is not an unusual method – it is the only way to carry a heavy object).

However, we learned that for a person to be liable, he must perform the entire act and in this case two people do it together, shouldn't they be exempt?

If one could do it alone, it is not a two person job, therefore, they are not liable.

However, in this case, it cannot be done by one person and therefore, they are both liable.

בְּעִשְׂתָּהּ,,

By his committing it.

If an individual                    - single  
soul                                    - single  
sins                                    - single  
by his committing                - single

- 1) Excludes a person who lifts the object in only 1 domain.
- 2) Excludes two people who lift, if either one could have done the lifting themselves.
- 3) Excludes two people who combine to lift an object which neither could have carried alone.  
    Reb Shimon – “both are not liable”.  
    Reb Yehudah – “both are liable”.
- 4) Another exclusion is a person who violates, while following the mistaken rule of the Sanhedrin.

## Daf Digest

רַבִּי יְהוּדָה אֹמֵר אִם לֹא יָכוֹל אֶחָד לְהוֹצִיאוֹ  
וְהוֹצִיאוּהוּ שְׁנַיִם חֵיבִין וְאִם לֹא פְטוּרִים

Rabbi Yehuda says, “If one is not able to carry an object out and two join together to do so, both are liable. However, if one could carry it out on his own but two people do so, they are both exempt.”

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If one could have done it by himself, using the second person is considered doing the job in an unusual manner, (a Shinui) and they are exempt.

Question: Is the rule the same if two could carry it out but they enlist a third as an accessory? All three should be free of liability.

## Daf Digest

**אָמַר רַבִּינָא הַשּׁוֹתְפִין שְׁגָנְבוּ וְטָבְחוּ חַיִּבִין**

Rabina says, "Two partners who steal an ox and slaughter it, are liable."

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R Yehuda teaches that if each of two people could not have carried an object by itself and they do so together, both are liable and both are punished. Each has to bring a chatas. If one person had carried that object alone, only one punishment would have been meted out. Is it fair to require two punishments? Or should each party merely pay for ½ of the cost of the chatas?

The Gemara brings proof that if two people steal an object, they both must make restitution. If one party cannot pay his portion, the other must pay it all. He cannot say he is responsible for only ½. This demonstrates that each person is a full thief. In the case of Shabbos violation, each person is fully responsible and we expect that each will bring a chatas offering.

The chatas offering is made for the violation. If you carried a small item or a large item, there is no difference and it can't be diminished or increased.

# אֶת הַחַי בְּמִטָּה פְּטוֹר אֵף עַל הַמִּטָּה

If one carries a live person on a bed, he is exempt, even for taking out the bed.

Carrying a live person was not done in the Mishkan, therefore, it is not prohibited.

In fact, it is permitted on the basis of the principle that “a living creature carries itself”, ‘Chai Noseh Es Atsmo’.

This applies only to a person who is able to walk on his own. It is not applicable to a baby or an invalid.

## הַמוֹצִיא אוֹכְלִין פְּחוֹת מִכֵּשִׁיעוֹר בְּכֵלִי

If a person carries less than the proscribed amount of food.

This discusses the liability for carrying objects that are mere accessories of other objects.

If a person carries less than the proscribed amount of food, (less than the volume of a dried fig) in a container, he is not liable. The container was only secondary to the food.

The container was not carried for its own sake, it was merely an accessory, it is subordinate to the food. Since there is no liability for carrying out the primary substance (the food), there is no liability for carrying out the subordinate substance (the container).

-If he carries a live person on a bed, he is not liable. A live person supports his own weight.

-If he carries a corpse on a bed, he is liable.

## אַתְּ הַחַי בְּמִטָּה פְּטוֹר אֶף עַל הַמִּטָּה

Carrying a person reclining on a bed into a public area on Shabbos, involves no Biblical infraction, since the bed is an accessory of the person.

May a person use a wheelchair on Shabbos?

Minchat Yitzchak- A wheelchair may also be considered an accessory of the person. He may “carry” his wheelchair, just as he carries himself. A wheelchair that is used for all ordinary activities, not merely for transportation, is more acceptable as an accessory and we can be more lenient.

A non-Jew can be directed to do a Rabbinically prohibited act but not a Biblically forbidden one. The infraction is further reduced, if the person in the wheelchair is able to propel himself or walk to some extent. The infraction is even further reduced, if this effort is undertaken in order to perform a Mitzvah, i.e., go to Shul and add to a minyon.



## הָהוּא שְׂכָבָא דְהוּהּ בְּדִרוּקָא

Is it permissible to derive benefit from a corpse?

Is a dissection or an autopsy permissible? Is it considered desecration of the dead?

A Jewish corpse? Not permissible.

A non-Jewish corpse? No - Shulchan Aruch (61), R Joseph Soloveitchik, Rambam, Rashba, Radbaz, Tosophos

Yes - To study medicine-Rabbi Goren, Rashi, Rabbi Kook

*What happens if a person gives permission for an autopsy before he died?*

A person can't give permission to violate a Torah law. That matter is between man and God and therefore, cannot be waived by man.

*What is the ruling in cases of Pekuach Nefesh, immediate danger?*

It is permissible to use the corpse, for example, to diagnose an epidemic illness.

Nuda B Yehudah and the Chasam Sofer- It is not permitted for general medical studies.

*There is a case where an autopsy or dissection is not actually performed, but merely is viewed, what is the decision?*

Chasam Sofer – It is forbidden to derive benefit from a corpse.

Rambam -Agrees–(Hilchos Avel 14:1)

## הַנּוֹטֵל עֶפְרָנָיו

Removes his fingernails.

(This Mishnah discusses some Toladot of various Avos of Malachah)

**Shearing** - One who removes his own fingernails, even without using an instrument, i.e., using his teeth, is liable.

Why?

R Eliezar-Shearing is cutting the wool of sheep and this has some similarity to that.

In the case of a hangnail?

-If it is detached along most of its width, you may remove it.

-Plucking hairs from his head or mustache is not allowed.

Other examples:

A woman who paints her eyes, is this called writing? This is an usual way to write.

No, it is called dyeing.

A woman who fixes her hair, is this called weaving? Or spinning?

-No, it is called building.

A woman who applies rouge to her face is liable. This is called dyeing her skin.

R Eliezar – says each is liable for a Chatas.

The Rabbanan prohibit these as a Rabbinical decree.

## הַנוֹטֵל עֶפְרָנָיו

### Removing his fingernails.

Cutting nails or skin is forbidden on Shabbos. Filing nails is also forbidden. However, biting nails is permitted, because it is considered a non-ordinary method of trimming nails (a Shinui).

A hangnail can be removed if it is already detached along most of its width. That makes it considered to be completely detached, halachically. This is because in the course of time, it will definitely fall off on its own,. It is best to bite it off and not use an instrument.

Ingrown toe nails may not be removed, even if the patient is in pain. If the pain is severe, a person who is not obligated in these rules, may remove it for him.

## Daf Digest

וּמוֹדִים חֲכָמִים לְרַבִּי אֶלְיעֶזֶר  
בְּמִלְקֵט לְבָנוֹת מִתּוֹךְ שְׁחוֹרוֹת  
שֶׁאֵפִילוּ אַחַת חַיִּיב

And the Chachamim would agree with Rabbi Eliezar, that if he removes the one white hair amongst his black hair, he is liable.

The Chachamim rule that one violates Shabbos if he cuts or plucks two hairs. However, they agree that removing only one hair makes him liable in a situation where it improves his appearance. In this case, by removing any semblance of aging.

Rambam – Agrees that even removing one hair is an act of significance in this situation and he is liable.



Painting the face with makeup – is this writing or dyeing?

- Rambam
- Writing is when one makes a mark on a surface.
  - Coloring or dyeing is when one colors that mark.
  - Writing is making an outline on a wall.
  - Coloring is filling in the outline.
  - Writing creates a shape.
  - Coloring or dyeing fills in that pre-existing shape.

The shape is already there. We only want to change the color.

Therefore, coloring the eyes is not writing but rather it is dyeing.

# אִשָּׁה לֹא תַעֲבִיר סָרֶק עַל פְּנֵיהָ מִפְּנֵי שְׂצוּבַעַת

A woman may not apply rouge to her face on Shabbos, because it colors the skin.

What is the rule about sun-bathing on Shabbos?

Rav Yitzchak Yaakov Weiss:

1. It is considered an improvement in one's appearance and is prohibited on Shabbos.
2. It has the effect of rouge on the skin and is forbidden.
3. It may be a painful experience and therefore unpleasant, and Rambam cautions against unpleasant experiences on Shabbos.
4. It may result in use of creams which is not permitted on Shabbos.
5. It is not itself, in the spirit of Shabbos.

However, Rav Pesach Eliyahu Falk contends it is permissible to walk or sit in the sun without the intent to become tanned, and if one becomes tan, it would not be a violation.

אִשָּׁה לֹא תַעֲבִיר סָרֶק עַל פְּנֵיהָ מִפְּנֵי שְׂצוּבַעַת

A woman may not apply rouge to her face on Shabbos, because it colors the skin.

Rambam – Only the application of a coloring agent that causes permanent change in the color, is a Biblically prohibited act. If the color is not permanent, its use is prohibited by Rabbinic decree only.

Sefer Mitzvat Gadol – Disagrees with Rambam. He maintains that if the intention was to paint on color, that act is forbidden by Biblical law, even if it is known that the result is only for a temporary period.

R Moshe Feinstein – Permits powder on the body or face, because it readily falls off but proscribes lipstick or lip gloss because it is more permanent.

## הַזֹּרֵק מִרְשׁוּת הַיָּחִיד לְרְשׁוּת הַרַבִּים

If one throws an object from a private domain to a public domain.

Until now the laws of transferring from domain to domain by carrying, was described. This chapter discusses transferring by throwing or handing over.

Throwing from a Reshus haYachid to a Reshus haRabim or vice versa-liable.

Carrying is a Malachah, throwing is a toladah of a Malachah.

Case #1 - Throwing from a Reshus haYachid over a Reshus haRabim to a Reshus haYachid. ***R Akiva-liable Sages-exempt (97a2).***

Case #2 - Two balconies-across the street from each other, handing over or throwing to the other side (above 10 tefachim)-***exempt***.

Case #3 - Two balconies- on same side of street as each other, handing over Reshus haRabim:- ***hand over-liable*** (even if 10 tefachim above the ground)  
- ***throwing over-exempt***

Why? Because this was the manner of work of the Leviim in loading Tabernacle boards onto the wagons.



מָה לִּי אֶפְוִקִי וּמָה לִּי עֵוִילִי

What difference should there be whether we take out or bring in?

This distinction is important, because if the AV we are dealing with concerns taking an object from domain to domain, throwing is considered a derivative, a secondary labor (a toladah).

If handing over has such unique aspects, perhaps it comes under a different Av.

Violating an Av (primary labor) and its toladah (secondary labor) makes him liable to bring only one Chatas sacrifice.

Violating an Av and a toladah of a different Av, would require two Chatas sacrifices.

## מַעֲבִיר אַרְבַּע אַמּוֹת בְּרֶשֶׁת הַרְבִּים מִנְּלֵן דְּמַחֲיִיב

Where do we learn of the prohibition against transferring an object four Amos on Shabbos in a public domain?

We learn about the prohibition through the discussion about the gatherer on Shabbos, (the Mekoshesh). He was liable because he:

1. Transported wood 4 amos in a Reshus haRabim.
2. Detached wood that was still growing.
3. Gathered detached and scattered wood.
4. Defiantly ascended to the mountain top (R Yehudah ben Beseira).

Each carries a death penalty. So why debate which one it is?

If he did it by accident, he must bring a Chatas. If he did other sins also by accident, they may be derivatives of the Av Malachah we designate, and he would not have to bring an extra Chatas offerings.

תָּנוּ רַבָּנָן מִקּוֹשֵׁשׁ זֶה צֶלְפָּחַד וְכֵן הוּא אוֹמֵר

The gatherer was Tzelophchad.

How do we know? We know because of a Gezeiras Shavah.

The phrase “in the wilderness” is used both to describe the wood gatherer, (Num 15:32) and by the daughters of Tzelophchad, to describe the fact that their father died in the wilderness (Num 27:3).

R Akiva - We can, therefore, say it refers to the same person!

“Rabbi Akiva, you have sinned,” says R Yehudah ben Beseira,  
“If [what you say is] true Rabbi Akiva, you have sinned, because the Torah concealed it and you revealed it, and if [what you say] is not true, you have maligned the name of a righteous man.”

# אַתָּה מוֹצִיא לַעֲזוֹ עַל אוֹתוֹ צְדִיק

Then you are guilty of maligning that righteous man.

Rabbi Akiva identified the “wood-collector” who violated Shabbos as Tzelophchad. By naming the person who sinned, did R Akiva “slander him”?

Rabbi Akiva considered that Tzelophchad acted for the sake of Heaven in violating Shabbos, so that all the people would learn and appreciate the sanctity of the Shabbos laws. Therefore, Rabbi Akiva was not concerned about revealing his name, because Tzelophchad was not an evil person at all.

וְאֵלָּא הָא גַּמְר גְּזֵירָה שְׁוָה

The Gezeirah Shavah was learned by

R Akiva learned this from his teachers, who learned it from their teachers, all the way back to Sinai. Since this was already known, R Akiva did not reveal something the Torah had concealed. Therefore. R Akiva did not sin.

Another insight by R Akiva:

When the Torah says, ‘Vyechan af HaShem bam’, “God’s wrath flared up against them”. This is interpreted that both [of them] Miriam and Aaron, suffered Tzoraas (leprosy).

Again, R Akiva was accused of committing a sin.

He was told that these words:

-“If true – you revealed what the Torah wished to conceal”.

-“If not true – you maligned an innocent and righteous man”.

No, there is a Baraisa that tells us, that when the Torah says, “when Aaron turned”, can be interpreted as, “when Aaron turned from his Tzoraas”. Therefore, it was not concealed, and R Akiva did not sin clarifying this insight.

הַחֹשֵׁד בְּכַשְׂרִים לֹקֵה בְּגֹפוֹ

He who suspects another innocent person is punished himself.

A false accusation will rebound to hurt the accuser.

If one throws a rock at a wall that is solid, the rock may rebound and hit the one who threw it.

אִי לְהֵכָא קָבְעֵי לָהּ

Importance of intent.

-A person intended to throw an object 8 feet but it landed at 4 feet.

-A person intended to throw an object 4 feet but actually threw it 8 feet.

Ravina says, “A person cannot be liable unless his exact intent is fulfilled”

Rashi says, “He is liable at each distance only if his intent was to throw it and he says, “let it rest wherever it pleases”.

So throwing 8 ft. and landing at 4 ft. or throwing 4 ft. and landing at 8 ft.- the person is not liable according to this position, since his intention was not met. This does not seem correct. If a person intends to write the name Samuel, for example, he becomes liable after just writing the name Sam, which is not what he intended.

This example is not the same as throwing an unintended distance.

Here, a forbidden task was completed by writing the name Sam, because it is inherent in the task to write the word, Samuel.

There, the forbidden task is not completed until the object lands.

## הַמַּעֲבִיר אַרְבַּע אַמּוֹת בְּרֵשׁוֹת הַרְבִּים מְקוֹרָה

Can you carry four Amos in a public place which has a roof?

A public domain that has a roof over it, does not resemble the encampment of the Israelites in the wilderness. The laws of transferring objects between private and public domains on the Sabbath, are derived from the Mishkan precedent in the wilderness. Therefore, the public domain must share the characteristics of the public domain used by the Israelites in the wilderness. So, a person who carries more than 4 amos in a public domain that has a roof over it, should not be considered to have violated the law of transferring on the Sabbath (even though there were public places in the desert that had a roof, i.e., the Tabernacle Wagons).

There is a debate, however, as to whether the area beneath their boards (roof) were considered a Reshus haRabim.



## אֹרְכָא דֵעֲגָלָה כַּמָּה הוּאִי

What was the length of the [Tabernacle] wagons?'

A detailed discussion ensues on how close the wagons were to one another and on their dimensions. When the Leviim transferred the boards of the Mishkan along the long axis of the Reshus haRabim, 10 Tefachim above the ground, did the boards have gaps between them, or were they tapered?

The next layer of the Tabernacle's covering, the goat hair, is discussed.

Also discussed, is how wide the two side by side wagons were (15 amos).

This created the principle that a public thoroughfare must be at least 16 amos wide. We add 1 amah for the Levi standing on the side, to adjust any board that might begin to slide off.

## Daf Digest

קָרְשִׁים מִלְמָטָן עוֹבְיִין אִמָּה הַנִּיחָא לְמֵאן דְאָמַר  
 מִלְמַעְלָן פְּלִין וְהוֹלְכִין עַד פְּאַצְבַּע

The plank that formed the Mishkan walls were one amah thick on the bottom and one fingerbreadth thick on the top.

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The planks were always inserted in the same spot in the Mishkan wall, so as not to change their position of holiness. We learn from this example, that we should put a piece of cloth on our Talis to remember to wear it in a way so that the same Tzitzis is in the front and on the right, each time we put it on.

If both ends of the plank were similar, as both sides of a Talis are similar, would it still matter?

Recall the 12 stones that Yaakov Avinu prepared to sleep on at Beis El. Each stone wanted Yaakov's head to rest on it. HaShem fused the stones together so no further bickering would occur, because now, any place Yaakov put his head, would be the same. Similarly, with a Talis, where all sides are the same, it should not be necessary to put a cloth to guarantee that we put the Talis on the same way, every time.

## Daf Digest

צִיְדֵי עֲגָלָה בְּמִלָּא רַחֵב עֲגָלָה

The two sides of the wagon together, equaled the width of the wagon.

There were 6 wagons (Numbers 7:3) for the Mishkan. The sons of Miriam carried the beams in four of the wagons and the sons of Gershon carried the curtains in the other two wagons.

Two tribes combined in pairs to contribute to each wagon, in order to indicate brotherhood between the 12 tribes.

The Shechinah will only dwell where there is an absence of strife and friction and there is the presence of unity.

## Daf Digest

**בְּרֵשׁוֹת הָרַבִּים**A public place: Reshus haRabim

Definition: A street or market place:

- That is at least 16 amos wide by 16 amos long.
- That runs in an uninterrupted line from one end of the city to the other.
- That 600,000 people traverse each day.

An object, that is not 3 tefachim high, is part of the surface of the Reshus haRabim.

An object, between 3 and 9 tefachim in area, is a Karmelis.

If its area is less than 4 x 4 tefachim, it is a Makom Patur.

If it is between 9 and 10 tefachim high and people use it to shoulder their load, (even if it is less than 4 x 4 tefachim in area) it counts as a Reshus haRabim.

A hole shallower than 3 tefachim is part of the Reshus haRabim.

A hole between 3 and 10 tefachim in depth and 4 x 4 tefachim in area, is a Karmelis

A hole that is less than 4 x 4 tefachim in area, it is a Makom Patur.

Karmelis

A Karmelis is measured from the ground level or from the top of a body of water and extends 10 tefachim in the air above. Above the ten tefachim is a Makom Patur (an exempt area).

A Karmelis is an area not expected to serve as a thoroughfare, i.e., a lake, the sea, cultivated fields, areas in front of stores designated for storekeepers to sit in, or hang their wares, raised platforms around pillars for peddlers to sit on, streets that angle off a Reshus haRabim, or streets surrounded by only three walls.

Also, a Reshus haRabim that has a roof over it, or an area enclosed by walls which are not 10 tefachim high, or mounds that are 4 x 4 tefachim in area, but are not 10 tefachim high, (i.e., from 3 to 9 tefachim high) or trenches that are 4 x 4 tefachim in area, but not 10 tefachim deep; are areas that are termed a Karmelis and not a Reshus haRabim.

מְקוֹם פְּטוּר

Makom Patur.

A Makom Patur:

- An object that is not 4 x 4 tefachim in area and that is higher than 3 tefachim.
- A trench that is not 4 x 4 tefachim in area, but is deeper than 3 tefachim.
- An area enclosed by walls 3 tefachim high, and that is less than 4 tefachim in height.

# לְרֵשׁוֹת הַיָּחִיד

A private domain: Reshus haYachid.

Definition:

- An area enclosed by walls that are at least 10 tefachim high.
- The area must be at least 4 tefachim wide.
- It has doors that close at night.

It may be very large if it is enclosed for habitation or animals.

Even a trench that is 10 tefachim deep and 4 x 4 tefachim in area or a mound that is 10 tefachim and has an area 4 x 4 tefachim on top, are designated as a Reshus haYachid.

The tops of and the nooks in the walls are all part of the Reshus haYachid.

## Daf Digest

אֵין מְחִיצָה תְּלוּיָה מִתְּרַת אֶלָּא בְּמַיִם  
קָל הוּא שֶׁהִקִּילוּ חֻכְמַיִם בְּמַיִם

A suspended wall does not allow carrying within the enclosed area, except regarding water. This is a special leniency that the sages allowed regarding water.

A wall is considered complete if it reaches the ground or if it is suspended above the ground by no more than 3 tefachim. The space must be so narrow that a kid (goat) cannot crawl under it.

However, a wall which is over water must be high enough that the water can flow through to either side. Since we can't see the animals that pass beneath it, i.e., fish, we do not disqualify the partition from being a complete wall.

Water is considered differently than land.



## Daf Digest

אָמַר לִיָּה רַב סַפְרָא מִשֶּׁה שֶׁפִּיר קֶאֱמַרְתָּ

Rav Safra said “Moshe”, to Rava “Moshe, you have spoken well”.

Why did Rav Safra call Rava, Moshe?

There are several possibilities:

- To indicate that what Rava said was unique. It was not hinted at in the Mishnah and therefore, it was like a new law, such as Moses had shared with the people.
- To acknowledge that in Babylon, Rava was the leader, the prominent communal figure of his generation.
- To further the concept that all Talmidei Chachamim are inspired by the special spirituality of Moshe Rabbenu and should continue his legacy. Rav Safra recognized these special perceptions in Rava.

## שָׂפָל מְחִיצָה שֶׁנַּעֲשָׂה בְּשַׁבָּת בֵּין בְּשׁוּגְגַת בֵּין בְּמִזִּיד

Any wall made on Shabbos, whether unintentionally or intentionally.

Any wall made on Shabbos, whether unintentionally or intentionally, is called a wall and it creates a private domain that can be used for carrying, unless, the walls are set up deliberately on Shabbos, to allow carrying. Even a group of people standing less than 3 tefachim apart, walking together, create a Halachic wall.

This may serve as a basis for the practice of sitting down in Shul on Simchat Torah during Hakaphot while people are dancing with the Sefer Torah, even though sitting is normally forbidden. If the Torah is surrounded by circles of people, we can view the Torah as being in a separate domain, behind a wall of people, as though in another room. Therefore, a person on the outside of that circle is allowed to sit down.

## Daf Digest

אִינָן חַיִּיבִין עַד שֶׁתְּהֵא תְּחִלָּתוֹ וְסוֹפוֹ שְׁנֵיהֶן

To be required to bring a sin offering, the proscribed act must be a mistake from beginning to end.

Sfas Emes questions whether this requirement for inadvertent acts is the same as for violations done on purpose (bmazid). Must the person maintain an uninterrupted mind set of intent, to do the prohibited act from beginning to end? What if he has regret in the middle, but could not stop the event from proceeding, would he be exempt?

Sfas Emes brings a case where a person put dough into an oven on purpose, to be baked on Shabbos, but after he did it, he regretted it. We do not permit him to scrape the dough off of the walls of the oven, but we do judge him to not be liable for the punishment of stoning.

So, we see the same criteria requiring uninterrupted intention, pertains to intentional acts as well as to unintentional acts.

## הבונה

### Building.

Is there a rationale to the order of the list of prohibited activities on Shabbos?

Yes.

It follows the order of the sequence in which the actual activities took place in the construction of the Mishkan itself, i.e., a donation carried to the Mishkan, transferring and throwing objects from one domain to another.

Alternatively, the list is in the order of the most common activities. Everyone carries objects in the street and progresses to more complex activities, such as building.

## הבונה

### Building.

This discusses the Malachah of building.

One who builds: We start with this because we just finished discussing the Malachah of transferring (#39) and we want to speak about striking the final blow (#38), which is inherently related to building. How much must he build? There is an amount that triggers the liability for most Malachos, what is it for building?

To be liable, there are multiple opinions:

- Any amount.
- One who chisels a stone, i.e., prepares it for use in a building.
- Drills- bores a hole in wood or stone.
- Strikes a final blow with a hammer – completion of the task is considered only then to be a Malachah.

## Daf Digest

**וְהַמְכָּה בַּפִּטּוּשׁ**

And the Makeh B'Patish.

The laws of Makeh B'Patish:

The words Makeh B'Patish means a strike with a hammer. It describes one of key manufacturing activities of the Mishkan. It is the final step in completing, perfecting or strengthening an object. It can even refer to improving the instruments used to do the work, for example, a goldsmith's hammer used to flatten and smooth a surface.

Any act of completion, repairing, sharpening, opening the stitching in pockets or vents of suits or dresses, annealing, i.e., putting cold onto hot metal to strengthen it and prevent brittleness, all are considered Makeh B'Patish.

2 – Shabbos 102b1  
Daf Digest

הבונה

Building.

Any amount of building on the Sabbath, even a minimal amount, creates a liability (and one needs to bring a Chatas). This is the rule.

A minimal amount of labor is defined as significant in its own right, and not merely a start of a larger process. This labor produces something that will endure.

Even if his work is not permanent, but the work endures through the Sabbath, he is liable.

## וְהַמֵּךְ בַּפֶּטִישׁ

### One who strikes with a hammer.

Rabban Shimon Ben Gamliel says “One who strikes with a hammer on an anvil, while working, is liable, even if he does not strike the object he is working on”.

He is like someone who improves the work.

In what way? He is training his hand to do the work properly and that is, therefore, an improvement and he is liable.

What happens if a person observes the performance of a craft on Shabbat and learns it, is he liable?

No, he has not done any Malachah.

No, it is because those who hammered sheets of gold for the Mishkan, did this.



## הַמְּלִיקֵט עֵצִים

One who gathers wood by cutting branches off of a live tree.

If his intent was to improve the tree with sowing or the fertility of the surrounding soil, he is liable for any amount.

If his intent to collect wood from a live tree for kindling, i.e., reaping, he is liable.

If his intent was to collect enough wood required to cook an easily cooked hen's egg, he is liable.

## החורש

One who plows.

At what amount is one who plows, liable? The amount fit to plant a pumpkin seed.

At what amount is one who weeds, liable? Any amount that improves the remaining plants.

Weeding is a toladah of sowing.

At what amount is one who prunes liable? Any amount causes a liability if it improves the strength of the plant and stimulates the plant's growth.

All of these are a toladah of sowing.

## החורש

One who plows.

“If you cut off its head, will it not die?”

Mishnah: the Malachah of plowing-

One who plows, weeds, prunes, or gathers wood and it is his intent to cause an improvement, is liable. But if done unintentionally, he is not liable. Unless the beneficial effect of his action is an inevitable consequence, which is called a Pesik Reishah.

-An example: A person cuts off the head of a living creature on Shabbat. He has violated the prohibition against taking a life on Shabbat, even if he declares that he did not intend or wish for the creature to die. He is liable for killing on Shabbat.

This example is noted to move us away from the former criteria used to make a determination of death, which was the cessation of respiration and heart beat.

Today, death is determined by the death of the brain.

If you cut off its head, is death not inevitable? If one's brain is dead, is not the patient dead?

## Daf Digest

**הַמְּלִיקֵט עֵשְׂבִים**

One who gathers grasses, uproots growing grasses.

If his intent was to affect improvement in the soil, i.e., plowing, he is liable for any amount.

If the intent was to use the grass for animals, i.e., reaping food, he is liable for the measure of a kid's mouthful. A kid is the smallest animal one regularly feeds with grass.

## הַתּוֹלֵשׁ עוֹלָשִׁין

One who plucks endives.

If his intent is for:

- Human consumption-
- Animal consumption-
- Kindling-
- Improve the ground-

The liability occurs at a volume of:

- the amount of a dried fig.
- the amount to fill a kid's mouth.
- the amount needed to cook an easily cooked egg.
- any amount.

Even with all of the intentions aside: If he does the act, he by necessity, improves the land, it is an inevitability, even though there is an unintended consequence.

It is not permitted to kill a chicken on Shabbos. Therefore, if you cut off its head, you are liable for the chicken's death. Even though you could say, "I did not intend for the chicken to die". It is an inevitable consequence: cutting off the chicken's head will result in its death.

## Daf Digest

לֹא צְרִיכָא דְקַעְבִּיד בְּאַרְעָא דְחֻבְרִיהָ

This pertains only to where he improved his friend's land.

A person is liable for violating the prohibition of working the land on Shabbos, if his intent is to improve the land.

Abaye – If he is plucking weeds from a field that is not his, gets no specific benefit and has no intent to improve the field; he is not liable.

Rashi – He simply does not care, since it is not his field. Is it sufficient to simply “not care about it” or must it be a matter that is against his will and disagreeable for him, to exempt him from liability? Only lack of intent is sufficient.

However, in this case, plucking weeds is an inevitable preamble to plowing and should be punishable under the law of ‘Pesik Reishah’. However, in this instance, the benefit is so minimal, it is considered negligible. It is not a work effort at all.

**בְּפֶסֶק רֵישָׁה**

An inevitable consequence.

Is having yourself depicted on closed circuit television permitted on Shabbos?

The entry of a person into the range of the camera causes no change whatsoever in the operation of its mechanism.

However, painting or creating a picture is prohibited.

However, this TV image is not durable (Eino Mitkayem) and would only be a Rabbinic transgression at worst.

R' Moshe Feinstein- considers this to be a 'Pesik Reishah' that he is indifferent to, and therefore, no liability occurs.

## הכּוֹתֵב שְׁתֵּי אוֹתוֹת

One who writes two letters.

(Discusses the Malachah of writing – back to the list on Shabbos Daf 73a in reverse order).

“Whether with his right hand or his left”.

Why? Writing in an unusual manner, a Shinui, should not create liability. This could describe an ambidextrous person, or the use of mere marks which can be done equally well with either hand. He is liable, because for him writing in this way is not a shinui.

“Whether one letter or two letters”,- i.e., this includes the same letter twice or two different letters.

“Whether with one or two inks.”

“In any language”,- i.e., in the script used by any nation.

Any of these causes liability.



## Daf Digest

**הַכּוֹתֵב שְׁתֵּי אוֹתוֹת**

One who writes two letters.

On who writes two letters is liable only because of “marking”. That is how they wrote on the boards of the Mishkan, to know which one was its mate.

R Yose comments that the Malachah of writing is the making of symbols, even if not of a formal language.

Others say - the boards of the Mishkan were marked by actual letters and only letters cause a violation.

R Yehudah remarks that if we find a short word that is part of a long word, all produce liability for writing, since they create a recognizable name or object and are a complete word in themselves. For example, Shem from Shimon or Shmuel, Nach from Nachor, Dan for Daniel, Gad from Gadiel. Or, for example, two different letters that make a word, through they are only part of a name; or two letters that make a complete word, for example, gag – roof, tain – give, or sheish – six,

## Daf Digest

וְכָתַבְתֶּם' שְׁתֵּהָא כְּתִיבָה תְּמָה

“And write them”, that the writing of Tefillin and Mezuzahs should be perfect.

---

It is forbidden to write on Chol HaMoed.

However, it is only the work of an artisan that is prohibited, not that of a common person.

What is the work of an artisan versus that of a common man?

Any form of writing can be the work of an artisan.

Rema – This is in dispute.

Mishnah Berura – Writing of Torah, Tefillin, Mezuzahs or calligraphy are the writings of an artisan.

Rema – Forbids writing personal letters even in every day script. He is lenient in practice, if one makes a slight difference in the manner of writing, i.e., slanted letters in the first line.

Most Sefarim were written in a different script, i.e., Rashi script, to differentiate them from Tanach or Talmud since Ksav MeShita is not considered true writing.

Today, block print is acceptable.

## Daf Digest

שְׂאִין הַנְּבִיא רִשְׁאֵי לְחַדֵּשׁ דְּבָר מִעֲתָה

The prophets have no right to establish novel prohibitions which are not contained in the Torah.

If a prophet does declare a prohibition, it must be that:

1. It is a biblical prohibition.
2. If it is a prohibition that cannot be derived from the Torah, we must assume it was handed down to Moshe at Mt. Sinai and therefore, constitutes an intrinsic component of the oral law and is not a new law made up by a subsequent authority.

The reason for this might be to minimize the frequency of false prophets claiming to have communication with God and teaching them new Torah. It also gives the people confidence that the law will not change.

## Daf Digest

וְאָמַר רַב חֲסֵדָא בְּתַב שְׁבִלְוֵחוֹת נִקְרָא  
מִבְּפָנִים וְנִקְרָא מִבְּחוּץ

The script of the 10 commandments was engraved in such a way that the tablets were perforated front and back (Ex 32:15).

Consequently, the middle area of ‘mem sofit’ and ‘somach’ had no natural support to keep them from falling out. A miracle occurred. The centers of these letters and were suspended by a miracle.

See Deut 31:19

Eruvin 54b

**מֵאֵי טַעֲמָא פְּשׁוּטָה כְּרַעִיָּה דְגִמְלָא לְגַבֵּי דְלֵ"ת**

Why is the leg of the gimmel extended towards the daled?

Because this is the way to give kindness. The one who gives (gomel) should reach out to the one who needs, the recipient (dal).

“Make yourself study and memory aids in the Torah”.

Even the shape of the letters teach Torah principles.

These are methods by which you may acquire Torah using;

- Gematria
- Acronyms and end letters
- Alphabetical acrostics
- Proverbs, parables, and allegories
- Contractions
- Catch words
- Groupings

**מֵאֵי טַעֲמָא פְּשׁוּטָה פְּרַעִיָּה דְּגִמְיָא לְלִגְבֵי דְּלִיָּת**

Why is the leg of the gimmel extended towards the daled?

The Gemara discusses the shape of the letters:

Closed or open - The alternate forms of the letters were instituted by the prophets.

The letters of the 10 commandments required miracles, so that the center of the mem would not fall out, since it was closed, and for the letters on the tablets to be able to be read from each side of the tablets.

## Daf Digest

אֵמֶת מְרַחֵק מִלֵּיהּ שִׁיקְרָא שְׁבִיחַ

The letters of the word “emet” (truth) are spread out because falsehood is common.

The letters of the word “sheker” (falsehood) are common and juxtaposed, whereas the letters for truth are spread out.

The Hebrew letters that comprise the word for falsehood, are all found clustered and close at hand, and are easy to find. All come to a sharp point and are therefore, unstable and easily toppled over.

The Hebrew letters that comprise the word for truth are all solidly based and well balanced. The letters for truth span the entire alphabet, the first (aleph), the last (tof), and the middle letter (mem) and just as truth, may take effort to find.

## Daf Digest

בְּאַבְקַ דְּרַכֵּי

He wrote with the dust of the road.

The Malachah (forbidden work) of writing, involves forming any letter, symbol, picture or design that conveys a meaning or idea in any language.

*Methods* - Writing, scratching, engraving, etching, stamping, embossing, and perforating in a pattern, are all prohibited.

*Meaningful* - Only forms that convey meaning are prohibited. Scribbling doodling, dabbling, lines or marks are not considered writing and are not liable.

*Destructive writing* – Writing that defaces the surface is still a Malachah.

*Temporary writing* - Tracing letters on a frosted or fogged window, or in the sand at waters edge is permitted. Writing in dust is not permitted by the Rabbis.

However, if he does write in dust, he is not required to bring a Chatas offering.

*Writing on one's skin* - This is considered full fledged writing.



וּבְכֹל דְבַר שֵׂאִינוּ מֵתְקִים

Writing with anything that will not last.

The Torah prohibits writing only in durable script on Shabbos.

The Rabbis prohibited other non-durable writing such as:

- dipping a finger into juice.
- etching letters into dust, sand or ashes.
- drawing on a frosted window pane.

One may, however, draw imaginary letters with a finger into air or on a piece of paper.

Is it permissible to write on congealed fat? It is temporary, it will disappear once the fat is melted. Since that is similar to writing on a frosted window, it should be prohibited by Rabbinic edict only.

However, the Tosefta and Mishnah Berura state that the writing will last as long as no action is taken to dissolve the fat. It is therefore, a durable type of writing and is prohibited by the Torah.

אָנֹכִי נֹטְרִיקוֹן אֲנִי אָנָּא נַפְשִׁי כְּתִיבַת יְהוָה

Anochi is an acronym for the words, ‘Ana Nafshi K’sivat Y’havis’,  
“I, myself, have given the script”.

---

This statement confirms that God himself, wrote the 10 commandments.

“If you want to know who I am”, says God, “study what I have created”.

Study the Torah, and the world, and you will have complete faith and knowledge of God.

The style is the man.

# וְכֹל הַמְּקַלְקֵלִין פְּטוּרִין וְהַמְּקַלְקֵל עַל מְנַת לְתַקּוֹן

All destructive acts are free of liability. However, such acts must be carefully analyzed.

There may be constructive benefits that come from destructive acts and if so, those destructive acts are forbidden.

For example:

Destroying objects in anger: This assuages the anger, which is a constructive by-product of the destructive act.

Tearing a seam: This allows one to widen a garment, which is a constructive by-product of the destructive act.

Demolishing a building: This allows one to rebuild, which is a constructive by-product of the destructive act.

Killing a dangerous animal: This provides safety and relief, which is a constructive by-product of the destructive act.

Scratching letters into furniture: This destroys the furniture, but the writing persists.

These are all constructive by-products of destructive acts.

## חָכָם שָׁמַת הַכֹּל קְרוֹבָיו

If a sage dies, all are his kinsmen.

It is better to say, “all are **as** his kinsmen” since we all must rend our garments and partake of the mourners meal. However, a Kohen may not defile himself, except for his relatives, as outlined in the Torah, or for a “Mes Mitzvah”.

A “Mes Mitzvah” is an unclaimed body, found between two towns.

Even a Kohen must defile himself to bury the person, in such a situation.

## הַעוֹמֵד עַל הַמֵּת בְּשַׁעַת יְצִיאת נַשְׁמָה

One who stands by the dead at the parting of his soul is required to rend his garments.

If one sees a Torah Scroll burn, he must tear his garment.

Every person encompasses some knowledge, ethics or potential that is worthy and we should mourn the passing of those qualities, as we would mourn the destruction of a Sefer Torah.

This should occur, even if we are not related to that person.

עַד שְׂאוֹמֵר לוֹ עֲבוֹד עֲבוֹדָה זָרָה

Such are the guiles of the evil inclination. Today it says to him, “Do this”.  
Tomorrow, it tells him, “Do that”, until it tells him, “Go and serve Idols”.

Bad habits build gradually. Each incremental item seems imperceptible, but eventually, bad habits lead to bad behavior, a bad outcome and a bad future.

Being aware of this fact of human nature (and how the evil inclination can entice us), we can be forewarned and counteract that tendency.

כָּל הַמְתַעֵצֵל בְּהַסְפְּדוֹ שֶׁל חָכָם אֵינוֹ מֵאַרְיֵךְ יָמָיו

One who is negligent in eulogizing a scholar, will not live long.

Since that person was indifferent to the length of the scholar's life being cut short, there will be indifference toward him, regarding the length of his life.

Yet we learn (Yehoshua 24:30) that the people did not eulogize Yehoshua properly and HaShem threatened that a volcano would erupt and kill the people. However, we are told that “they lived long days after the passing of Yehoshua” (Shoftim 2:7) .

Rabbi Yochanan explained: “True, they lived long days. However, long days refers to quality of each day. They did not live long years, which refers to quantity of life”.

## Daf Digest

הַצֵּד צְבִי סוּמָא וְיָשֵׁן

If one traps a blind or sleeping deer.

An animal need not be in a cage to be considered “confined or trapped.”

Any situation that prevents it from moving or escaping, renders that animal confined.

Examples:

- 1) A sick animal who is weak, or a young animal, or an animal that lacks a danger instinct, is considered trapped.
- 2) A slow moving animal, i.e., turtles, snails, and caterpillars that are unable to move fast enough to avoid capture, are, therefore, also considered trapped.



## Daf Digest

**הַשׁוֹלֵה דָּג מִן הַיָּם כִּיּוֹן שִׁיבֵשׁ בּוֹ כִּפְסָלֵעַ**

A person takes a fish from the water, and an area dries out the size of a selah coin, that person is liable for the death of the fish.

---

A person shoots an animal with an arrow and it dies. He is guilty of killing the animal, but is he also guilty of trapping it?

In each case there was a period of time when the animal's ability to escape was impaired and it struggled before it died. That period during which it was prevented from moving or escaping is considered a period of confinement and he has violated another Sabbath prohibition, trapping, as well as killing.

## Daf Digest

מַיִין שְׂאִין בּוֹתְבִין תְּפִילִין אֶלָּא עַל גְּבֵי עוֹר בְּהֵמָה טְהוֹרָה

Where do we learn that we are permitted to write Tefillin only on the hides of Kosher animals?

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Tefillin must be made from that which is allowed in our mouths, “tihyeh toras HaShem b’pichah”. However, it is permissible to use the hides of Kosher animals whether they have died by Shechitah or naturally. An animal that died of natural causes cannot be eaten, so how does that satisfy the requirement of “b’pichah?”

“B’pichah”, in your mouth: Consider which is more significant, an animal killed by man or one who met his demise by the hand of God Himself. These animals have some degree of being special that God, Himself, caused their demise. That is why we can use their hides for Tefillin.

An associated question: Are we allowed to write Tefillin on the skin of a Kosher fish? Teiku ( When Eliyahu HaNavi arrives, he will answer this query)

## Daf Digest

הָאִי מֵאֵן דְּטַרְקִיָּה חֵינְיָא לִיְתִי דְחַמְרָא חֵינְרָתָא

One who was bitten by a snake should obtain an embryo.

Our Gemara reveals the antidote for a snake bite. However, there is a rule (in BT Yevamos 121a), that if a married man is seen falling into a pit filled with snakes, those that see this, can testify that he is dead, even though they don't actually see his actual death. This suggests that snake bites result in certain death.

How then, can we reconcile our Gemara telling us there is an antidote to a snake bite? It might be that our Gemara is speaking about a single snake bite and in Yevamos, it is telling of falling into a pit of snakes and of many snakebites, from which there is no antidote.

## Daf Digest

וּפִרְץ גְּדֵר יִשְׁכְּנוּ נֶחָשׁ׃

One who breaks down a wall fence, will be bitten by a snake.

This refers to a person who violates a precaution, instituted by the Rabbis, to help protect us from a prohibited behavior. We speak of such edicts of the Rabbis as a “fence around the law”.

Those who ignore these preventative measures may justify themselves by claiming that he is not violating a Torah law, only a law of the Rabbis. However, the Torah gave the authority to the Rabbis to enact such rules. Once this fence has been breached, disregard of or error in following the law, can more easily spread. Soon they are overwhelmed by the bad effect. Much like the spread of venom from a snake.

## Daf Digest

לִיֵּרְקוֹנָא תְּרִין בְּשִׁיכְרָא וּמֵי עֶקֶר

To heal jaundice, two ingredients mixed with beer, produces sterility.

The Gemara presents 10 remedies to heal jaundice, however, there is an eleventh remedy that is listed in BT Bechoros 7b.

Why isn't it also listed here?

- These ten treatments result in a cure.
- These ten treatments do not require ingesting any non-Kosher substance.
- The treatment in Bechoros is not a cure, but merely a way to deal with the symptoms. The treatment “helps”, but it is achieved by means of a non-Kosher liquid.

## הִיכָא דְקָא מִיכּוּוּיָן

This matter depends on intent.

A person intent on killing a pursuer, need not be constrained by the concern that his act may possibly cause the death of an innocent bystander, since that result is unintended and is not inevitable.

This concept “Daver Sheino Mitkaven” (the result is unintended and is not inevitable) is only applicable to Shabbos violations and not to other prohibitions.

A military action which will certainly result in civilian deaths, is not a “Daver Sheino Mitkaven”, but is a Pesik Reishah, an unintended but foreseeable and inevitable result and is not justified.

הַרֹצֵה שִׁסְרֵס תְּרַנְגוּל יִטּוּל בְּרַבְלָתוֹ וּמִסְתַּרֵס מֵאֱלִיוֹ

He who wishes to castrate his rooster should remove its nest and it will be castrated on its own.

This passage is used to support the premise that humans are permitted to use animals, if human benefit is derived. For a goal such as this, there is no prohibition, even in a case where it is likely to produce pain to the animal. The use of animals to study diseases and the effects of drugs, is not prohibited by Jewish law. However, even in that scientific process, all unnecessary pain to the animals should be avoided.

## בְּפֶסֶק רִישׁוּיָהּ וְלֹא יָמוּת

Should a conversion of a non-Jew who intends to remain married to their non-Jewish spouse, be permitted?

We are forbidden to intermarry.

This conversion creates an intermarriage, indirectly. The intermarriage was not created by marrying, but by converting. It is an unintended consequence that the intermarried state results.

An unintended consequence should be permitted, unless it is inevitable.

Here, it is not inevitable that they will remain an intermarried couple.

- They may divorce.
- The other person may also convert at a later date.



## Daf Digest

בְּפֶסֶק רֵישָׁהּ וְלֹא יָמוּת

“Can we cut off its head and it will not die?”

The term “Pesik Reishah” means severing the head, referring to detaching the head of a chicken. This inevitably results in the death of the chicken. Any act which will inevitably result in a Sabbath violation, even if unintentional, is considered a sin. It is as if the person had purposefully performed the prohibited act. This is because of the inevitability of the result.

For example, pulling a heavy chair in moist soil is not a prohibited act. However, the inevitable consequence, i.e., scraping (plowing) the soil, is a prohibited act. If this plowing is helpful to him, it is clearly a violation.

If the act has no value to him, “lo nichah leh”, i.e., squeezing water out of a wet carpet as he walks on it, it would not be considered a violation of the laws of Shabbos. It is of no value since the water goes back into the carpet almost immediately.

וְאֵלֵינוּ קְשָׁרִים

These are the knots.

Tying a knot is one of the 39 forbidden activities of Shabbos.

- To be forbidden, it must be a permanent knot.
- A knot made with the intention to untie it, is not considered permanent.

This is a peculiar rule.

-If a person carries an object from his yard to a public domain, he is liable, even if he intends to immediately bring it back in.

-If a person writes two letters and intends to immediately erase them he is, nonetheless, liable.

Why is a knot different?

The knot that is not intended to be permanent is not considered a connection, even while it is tied, so it does not violate the laws of Shabbos.

## Daf Digest

אִם רְאִשׁוֹנִים בְּנֵי מַלְאָכִים אָנּוּ בְּנֵי אָנָּשִׁים

If our patriarchs were children of angels, we are children of men.

We are encouraged to consider ourselves capable of reaching the level of holiness and spirituality of the patriarchs and to live our lives in pursuit of that goal.

Yet, our Gemara emphasizes the great differences between the patriarchs and ourselves.

The secret to successfully bridging that gap are the words, “strive” or “pursuit”, daily we make progress, and we do come closer to the example they set.

## עֲנִיבָה בְּקִשְׁיָרָה לֹא מִיַּחְלָפָא

Making of a bow (slipknot) and tying of a knot are easily interchanged.

A slipknot is designed to be undone easily and does not require reversing the original act that created it. A necktie is a form of “anivah” (slipknot), but it is not completely identical. A slipknot can be undone by pulling the end of the string, a necktie cannot be undone this way; it unravels. The necktie also requires us to back out one end of the tie and only then, does the knot unravel. Some Poskim rule that it is forbidden to tie a necktie on Shabbos. However, if it is your habit to untie it every day after wearing it, that shows that you do not use it as a permanent knot and it is permitted.

The same can be said for the bowknot used to tie shoes. Here, there is a slipknot superimposed on ½ of a permanent knot. If the shoes are untied each night, it is not viewed as a permanent knot and can be utilized on Shabbos.

## שְׁלֵא יִהְיֶה דְּבוּרְךָ שֶׁל שַׁבָּת כְּדְבוּרְךָ שֶׁל חוֹל

And your speech on Shabbos should not be like your speech on weekdays.

You should honor Shabbos by not doing your usual activities regarding business, speech, clothing, and way of walking (Isaiah 58:13) as you do during the week.

This is used in a discussion regarding the use of telephone answering devices, automatic fax, etc.

Rema – A clock that announces the time throughout Shabbos, may be wound up before Shabbos.

Physical acts may be performed before Shabbos that continue an activity into Shabbos, if these act require no further input by the person.

For example:

- Turning on a faucet that irrigates your field during all of Shabbos.
- Lighting a candle before Shabbos that continues to burn into Shabbos (since the kindling was done on a weekday).

## שְׁלֵא יִהְיֶה דְּבוּרְךָ שֶׁל שַׁבָּת כְּדְּבוּרְךָ שֶׁל חוֹל

And your speech on Shabbos should not be like your speech on weekdays.

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A physical act done in a locale where it is a weekday (even though its effect is actualized in a locale where it is already Shabbos) is entirely permissible.

For example, you may send a fax from Chicago to Israel on Friday afternoon, even though it is already Shabbos in Israel.

The fax may be sent, but it may not be read by the recipient, if he is still observing Shabbos, when he receives it.

The second day of Yom Tov is a day in which a person who lives in the Diaspora may not derive benefit from an act which is a violation of the Yom Tov; but is an act which maybe done by a resident of Israel, where the day is not Yom Tov.

A fax sent to a person from an area where it is not Shabbos, to where it is Shabbos, may benefit from that act, since it was sent from an area where it was not Shabbos.

## שְׁלֵא יְהֵא דְבוּרְךָ שֶׁל שַׁבַּת כְּדְבוּרְךָ שֶׁל חוֹל

And your speech on Shabbos should not be like your speech on weekdays.

Even the subject matter of our conversations on Shabbos should be different.

Rashi – We should not discuss weekday business, calculations and activities which are forbidden on Shabbos.

Rabbienu Tam – The curb on speech is not only for the weekday categories mentioned but is also regarding the quantity of speech. Using words is equivalent to work.

-In Tehillim 33:6 it is written, “With the word of HaShem everything was created”.

-In Genesis 2:2 it is written, “HaShem rested on the 7<sup>th</sup> day from all the work which he had done”.

Words are work and on Shabbos, we should hold our words to a minimum.

פְּסִיעָה גְּסָה נוֹטֶלֶת אֶחָד מִחֲמֵשׁ מֵאוֹת מִמְּאֹר עֵינָיו שֶׁל אָדָם

A long stride takes away a five hundredth part of the light of a man's eyes.

A long stride takes away a five hundredth part of the light of a man's eyes and it is returned to him at Kiddush Friday night.

A person who is engaged in the frantic pursuit of all that he sees around him, is doomed to lose sight of the candle of the Lord, (his inner soul) that is within him. (Prov 20:27)

Only the serene sanctity of the Sabbath, its tranquility, its cessation of activity and of hot pursuit, can restore man's awareness of the inner soul.



גְּנַאי הוּא לְתַלְמִיד הַכֹּהֵן

It is a disgrace for a Torah Scholar.

It is a disgrace for a Torah Scholar to go out with patched shoes or dirty clothes in the marketplace. It is worthy of death.

A Torah Scholar should comport himself in a dignified manner:

- He is a person who represents the Torah.
- He is a Jew whom the world will identify with the Torah, and he should conduct him/herself in a manner that will not bring shame on the Torah.
- He is required to set a high standard for cleanliness, because clothing is symbolic of the traits of the soul and ones inner purity is reflected in ones outward appearance.

# אִיזְהוּ תַלְמִיד חָכָם

Who is considered a Talmid Chacham, a Scholar?

Rashi - A person who is familiar with Mesechta Kallah.

If a person represents himself as a Talmid Chacham, his claim is valid only if he has studied Mesechta Kallah. It is valid, even if that is the only Mesechta he has studied.

Chazon Ish – He must be able to answer questions in any area. It does not mean he must have the answer then and there, but he must have the ability to find the answer and come to the proper conclusion by his research.