

1 Kislev 5773
Nov. 15, 2012



Shabbos Daf 43

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o"n

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

Muktzeh

Abaye asked (on Rabbah, who holds that it is prohibited to move a non-muktzeh item for the sake of a muktzeh item, unless it is to prevent a commonplace loss) from a Mishna: One may place a bowl over a candle to protect the overhead beam from catching fire, even though the beam is muktzeh and one is moving a non-muktzeh item for the sake of a muktzeh item.

Rabbah answers: This is because the houses have low ceilings, and it is common for the ceiling to catch fire.

Abaye asked (on Rabbah) from the following Mishna: If a beam (which, seemingly, is not a common occurrence) breaks on Shabbos, one may support it with a chair or with the sides of a bed.

Rabbah answers: Although the broken beam is muktzeh, and one may not move a non-muktzeh item for the sake of a muktzeh item, we are discussing new beams that commonly break (when a roof is first laid on them).

Abaye asked from the following Mishna: One may place a vessel to catch rainwater on Shabbos. [Leaking rainwater, which is seemingly uncommon, is considered muktzeh, and one should not be allowed to place the vessel that is non-muktzeh under the rainwater that is muktzeh.]

Rabbah answers: Since it is a new house and it is common to leak, this is permitted.

Rav Yosef says that the following is the reasoning of Rav Chisda (who said that one is not allowed to place a vessel under a hen to catch the egg): It is because he is being mavatel kli maheichano - one would be negating the use of the vessel by having the egg that is muktzeh in the vessel (for now, it would be forbidden to move the vessel).

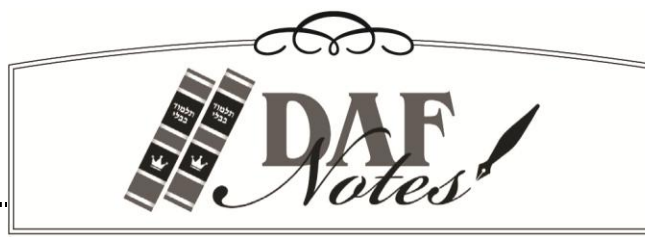
Abaye challenged Rav Yosef from various braisos. A braisa states: If a barrel of tevel (untithed produce) breaks, one may place a vessel under it (in order to save it).

Rav Yosef responded that tevel could be rectified if someone violates the Shabbos and separates the terumah and ma'aser. [Since it is merely a Rabbinic prohibition, the produce will be permitted for consumption. Therefore, one who places the vessel under the broken barrel of tevel is not negating the use of the vessel, as the tevel can lose its status of muktzeh.]

Abaye asked from a braisa: One may place a vessel under a candle to catch the sparks (although the sparks are muktzeh, and the vessel now cannot be moved).

Rav Yosef answered that is also permitted because sparks have no substance (and one is not negating the use of the vessel by catching the sparks, for the vessel may still be moved).

Abaye asked from the following Mishna: Similarly, one may place a chair or the sides of a bed (as support) under a broken beam (although the broken beam is muktzeh, and the chair or sideboards now cannot be moved).



Rav Yosef answered that he may place the chair or sideboards loosely so that he can remove it from under the broken beam.

Abaye asks from the following *Mishna*: One may place a vessel under the leaking rainwater on *Shabbos* (although the leaking rainwater is *muktzeh*, and the vessel now cannot be moved).

Rav Yosef answers: The leaking rainwater is fit for drinking (and is not considered *muktzeh*).

Abaye asks from the following *braisa*: One may turn a basket upside down so that birds can ascend to and descend from their nest.

Rav Yosef responded that once the birds leave, one could move the basket.

The *Gemora* asks that the *braisa* specifically states that it is forbidden to move the basket.

The *Gemora* answers: That is only when the birds are on top of the basket.

The *Gemora* asks that the *braisa* specifically states that it is forbidden to move the basket, even though the birds are no longer on top of it.

Rabbi Avahu answers: The *braisa* is referring to a case where the birds had been on the basket the entire *bein hashemashos* – at the beginning of *Shabbos*, as this follows the principle that *migu d'iskatzai l'bein hashemashos, iskatzai lekulei yoma*, once an item is considered *muktzeh* right before the onset of *Shabbos*, it is rendered *muktzeh* for the entire *Shabbos*.

Rabbi Yitzchak disagrees (with Rav Chisda) and maintains that just as one is not permitted to place a vessel under a hen to catch her egg, so too, one may not place a vessel over an egg that it should not break.

The *Gemora* explains: Rabbi Yitzchak maintains that one can only move a non-*muktzeh* item for the purpose of an item that one is permitted to move on *Shabbos*. The egg, however, is *muktzeh*, so one may not move a vessel to protect the egg.

The *Gemora* notes: Although challenged from all the *braisos* that were brought as proof against Rabbah and Rav Yosef, Rabbi Yitzchak responded that all those *braisos* deal with a situation where the place of the non-*muktzeh* vessel was needed, so the person was allowed to move the non-*muktzeh* item. [One cannot, however, move the non-*muktzeh* item merely for the sake of the *muktzeh* item.]

The *Gemora* asks on Rabbi Yitzchak from a *braisa*: An egg laid on *Shabbos* or an egg laid on a Festival may not be moved, neither for covering the mouth of a vessel with it, nor for supporting the legs of a bed with it, but a vessel may be turned over it, that it (*the egg*) should not be broken.

The *Gemora* answers: Here too it means that its place (*of the vessel*) is required (and once it may be moved, it can be placed over the egg).

The *Gemora* asks from a *braisa*: One may spread mats on stones and bricks on *Shabbos* (to protect them from the rain or other damage).

The *Gemora* answers: Although generally stones are considered *muktzeh*, one may spread mats over stones that are pointed, as one may use these stones in the outhouse on *Shabbos*.

The *Gemora* asks from a *braisa*: One may spread mats over bricks (in order to protect them from the elements).

The *Gemora* answers: This is referring to bricks that are left over from construction, and since they are fit for leaning on, they are not considered *muktzeh*.

The *Gemora* asks from a *braisa*: One may place a mat over a beehive on *Shabbos* in the sunny season due to the sun, and



in the rainy season due to the rain, provided that one does not intend to trap the bees.

The *Gemora* answers: The *braisa* is referring to a case where there is honey there (*and the mat can be spread over the honey, which is non-muktzeh*).

Rav Ukva of Meishan asked Rav Ashi: That is fine in the summer, where there is honey, but in the winter, where there is no honey, what is there to be said?

The *Gemora* answers: There are still two honeycombs left in the hive (*to sustain the bees in the winter*).

The *Gemora* asks: But these (*the two honeycombs*) themselves are *muktzeh* (*since they are designated for the bees' use*)?

The *Gemora* answers: It is referring to a case where he planned (*beforehand*) to use them (*and therefore, they are not muktzeh*).

The *Gemora* asks: Then what if he did not designate them? It is forbidden! If so, instead of teaching, 'provided that one does not intend to trap the bees,' let a distinction be drawn and taught regarding it (*the law of muktzeh*) itself, as follows: When are these words (*that one may cover a beehive*) said? It is when he designated them; but if he did not designate them, it is forbidden?

The *Gemora* answers: The *Tanna* is informing us of the following novelty: Even if he designated them, yet there is the condition that he must not intend to trap the bees.

The *Gemora* asks: With whom does this agree? If it is Rabbi Shimon, surely he rejects the prohibition of *muktzeh* (*and therefore the two remaining honeycombs would not be muktzeh*)! If it reflects Rabbi Yehudah (*who does accept the prohibition of muktzeh*), then what does it matter if one does not intend to trap the bees; surely he holds that an unintentional act is forbidden?

The *Gemora* answers: In truth, this is in accordance with Rabbi Yehudah; and what is meant by, 'provided that one does not intend to trap the bees'? It means that he must not arrange it like a net, namely, he must leave a space so that the bees should not be automatically trapped.

Rav Ashi offers an alternative explanation of the *braisa*, by asking: does the *braisa* state (*that it may be covered*) "in the summer and in the winter"? [No!] It states (*that it may be covered*) "in the sun because of the sun, and in the winter because of the winter," and the meaning is that in the month of *Nissan* and in the month of *Tishrei*, where there are sunny days, and there are rainy days, and there is honey there (*one may therefore cover the beehive with a mat, as the honey in the hive renders the hive non-muktzeh*). [When there is no honey in the hive in the winter, one would be forbidden to place a mat over the hive, as according to Rav Yitzchak, one is not allowed to move a non-muktzeh item for the sake of a muktzeh item.]

Rav Sheishes said to his students: Go out and tell Rabbi Yitzchak, "Rav Huna has already interpreted your same teaching in Bavel," for Rav Huna said: One may set up a barrier to protect a corpse if it is done for the sake of a live person, but one may not set up a barrier if it is merely for the sake of a corpse."

The *Gemora* asks: What is the meaning of this?

The *Gemora* answers: It is as Rav Shmuel bar Yehudah said, and Sheila Mari taught a *braisa* as well: [In order to avoid two violations of the *Shabbos*, first, that one may not move a non-muktzeh item for the sake of a muktzeh item, and second, one is not allowed to build a tent on *Shabbos*, the following is the procedure to protect a corpse from putrefying in the sun]: Two people sit on either side of the corpse on the hot ground. When sitting is too hot, they each bring a bed to sit on. When it gets too hot above their heads, they spread a mat over their heads. Each one then allows his bed to stand up and support the mat, so the barrier protecting the corpse was created without either of them actually violating the prohibition of building a structure on *Shabbos*.



INSIGHTS TO THE DAF

Placing a Loaf of Bread or a Child on a Corpse to Move the Corpse

It was stated: If a corpse is lying in the sun (*and one want to move the corpse to the shade*), Rav Yehudah bar Shmuel maintains that one should roll the corpse from one bed to another until the corpse is in the shade. Rav Chanina bar Shelamya in the name of Rav, however, posits that one should place a loaf of bread or a child on the corpse and then he can move the corpse.

The *Gemora* states that everyone agrees when the bread or child are available, it is permitted to move the corpse by placing the bread or child on the corpse. The disagreement is when there is no bread or child, as Rav holds that *tiltul min hatzad shmei tiltul*, moving *muktzeh* indirectly is also consider moving *muktzeh*, and Shmuel holds that moving *muktzeh* indirectly is not considered moving *muktzeh*, and one may roll the corpse from one bed to another.

The *Gemora* asks: Shall we say that this is dependent on a *Tannaic* dispute? For it was taught in a *braisa*: A corpse may not be rescued from a fire (*on Shabbos, because it is muktzeh*). Rabbi Yehudah ben Lakish said: I have heard that a corpse may be rescued from a fire. What are the circumstances? If a loaf or a child is available, what is the reason of the first *Tanna*? If it is not, what is the reason of Rabbi Yehudah ben Lakish? They therefore must surely differ in respect to moving indirectly, as one master (*the Tanna Kamma*) holds that such is designated as moving, while the other master holds that it is not?

The *Gemora* disagrees: No! All agree that moving indirectly is designated as moving, but this is the reason of Rabbi Yehudah ben Lakish: Since a man is distressed over his dead (*relative*), if you do not permit it (*the moving of the corpse*) to him, he will come to extinguish the fire.

Rabbi Yehudah ben Shila said in the name of Rabbi Assi in the name of Rabbi Yochanan: The *halachah* is as Rabbi Yehudah ben Lakish in the matter of the corpse. (43a – 44a)

The *Gemora* states that if a corpse is lying in the sun and one wishes to move the corpse to the shade, everyone agrees if there is a loaf of bread or child available, one may place the bread or child on the corpse and move the corpse to the shade. If there is no loaf of bread or child available, then there is a dispute whether one can move the corpse by rolling it from one bed to another.

Rabbi Akiva Eiger wonders why the bed itself cannot serve the function of the loaf of bread or a child.

The Rashash answers the bed is negligible with respect to the corpse, and therefore it is not permitted to move the corpse on the bed.

Rav Elyashiv Shlita rules that if a wicked man dies on Shabbos and his corpse is lying in the sun in shame, one should attempt to move the corpse by placing a loaf of bread or child on the corpse. Although one was permitted to agitate the wicked person while he was alive, now that he is dead and his nefarious activities have ceased, one should make the effort to offer the dead person a respectable burial.