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Shabbos Daf 47

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Tzvi Gershon Ben Yoel (Harvey Felsen) o"n

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Base to Muktzeh

Rabbi Zeira said in the name of Rav Assi in the name of Rabbi Yochanan in the name of Rabbi Chanina in the name of Rabbi Rumnus: Rebbe permitted me to handle a censer (*used for burning incense*) with its ashes. [*The Gemora assumes that he was referring to ashes that were muktzeh – for they weren't expected to be used - and nevertheless, he was permitted to move the ashes on account of the pan, which is a utensil.*]

Rabbi Zeira said to Rav Assi: Did Rabbi Yochanan say like that? But we learned in a *Mishna*: A man may take up his son (*in his hands*) while he (*his son*) is holding a stone, or a basket containing a stone. And upon that, Rabbah bar Chanah said in the name of Rabbi Yochanan: The reference is to a basket filled with fruit (*for since the fruit, which is non-muktzeh, is more valuable than the stone, which is muktzeh, the basket is not regarded as a base to something muktzeh*). The reason is only because it contains fruit, but if it does not contain fruit, it would not be permitted! [*How then could R' Yochanan rule that the censer containing the ashes can be moved?*]

He was confounded for a while, and then answered: Here too it refers to a case where the censer contained some granules (*of unburned incense, and therefore, the censer was not considered muktzeh*).

Abaye objected: Did granules have any value in Rebbe's house? [*Of course not! Rebbe was extremely wealthy, and had no use for the leftover granules. Accordingly, the granules themselves should be muktzeh as well!?*] And should you answer that they were fit for the poor (*and therefore not regarded as muktzeh*); surely it was taught in a *braisa*: clothing fit for the poor are clothing of poor people (*and can become tamei when owned by a poor person*). Clothing owned by the wealthy is clothing for

the wealthy (*and can become tamei when in the possession of the wealthy*). Clothing that are fit for the poor only, however, are not considered clothing with regard to wealthy people (*and cannot become tamei when they are owned by the wealthy*).

Rather, said Abaye, it is analogous to a chamber pot (*which may be carried away with the excrement, and similarly the censer and ashes, due to the discomfort it causes, may be carried away*).

Rava asked: There are two refutations to this. Firstly, a chamber pot is repulsive, while this is not repulsive. And secondly, a chamber pot is uncovered, whereas this is covered!

Rather, said Rava, when we were at Rav Nachman's house (*as students*), we would handle a brazier on account of its ashes (*which was used for covering dirt*), even if broken pieces of wood were lying upon it. [*Since the ashes were anticipated, they are not muktzeh, and since they were more valuable than the useless pieces of wood, the pan was not muktzeh either.*]

The *Gemora* asks from a *braisa*: And both (*R' Yehudah and R' Shimon*) agree that if it (*a used lamp*) contains fragments of a wick, it may not be handled. [*Presumably, the oil remaining in the lamp is more valuable than the leftover wick, and nevertheless, the lamp is regarded as muktzeh!?*]

Abaye answered: They learned this in the Galilee (*where flax was scarce, and the wicks were more valuable than the remaining oil*). (47a)

Reassembling Utensils on Shabbos

Levi bar Shmuel met Rabbi Abba and Rav Huna bar Chiya standing at the door of Rav Huna's academy. He said to them:



Is it permissible to reassemble a coppersmith's bed on *Shabbos*? [The frame consisted of jointed parts, which fitted loosely into each other.] They answered: It is permitted. Then he went before Rav Yehudah, who said: Surely Rav and Shmuel both rule: If one reassembles a coppersmith's bed on *Shabbos*, he is liable to a *chatas*.

The *Gemora* asked on this from a *braisa*: If one puts back the (removable) branch of a candelabrum on *Shabbos*, he is liable to a *chatas* (for he is completing its manufacture, a violation of *makeh bepatish*, delivering the final blow to an object). As for the joint of a plasterer's pole, he must not reinsert another section, yet if one does reinsert it, he is exempt (on a Biblical level, for it is a temporary fix, since he will constantly readjust it), but it is forbidden. Rabbi Simai said: For (assembling) a circular horn, one is liable; for a straight horn, one is exempt! [These are musical instruments into which reeds were inserted to give various notes. The reeds were inserted tightly by the circular horn, and must be done by a skilled worker; hence liability is incurred. But a straight horn was assembled amateurishly, being frequently taken to pieces; hence no liability is incurred. The *Gemora* is comparing the candelabrum to the coppersmith's bed; it would emerge that one is liable for reassembling the coppersmith's bed!]

The *Gemora* answers: They (R' Abba and Rav Huna bar Chiya) ruled like the following *Tanna*, for it was taught in a *braisa*: The sockets of a bed, the legs of a bed, and the archer's tablets (notched wood which helps guide the arrow) may not be reattached, yet if one does reattach them, he is not liable (to a *chatas*), but it is forbidden; nor must they be nailed in, and if one does so, he is liable to a *chatas*. Rabban Shimon ben Gamliel said: If it is loose, it is permitted (for they are made to be constantly taken apart, and we are not concerned that he will nail it in).

The *Gemora* relates: At Rav Chama's home there was a sectional bed, which they used to set up on Festivals. One of the Rabbis said to Rava: What is your reason (to permit it)? Is it because it is building indirectly (for the pieces are fitted loosely and they do not use nails); granted that there is no Biblical prohibition, yet it is Rabbinically forbidden? Rava said to him: I agree with Rabban Shimon ben Gamliel said, who ruled: If it is loose, it is permitted. (47a – 47b)

Placing a Vessel under a Lamp

One may place a vessel under a candle to catch the sparks (although the sparks are *muktzeh*, and the vessel now cannot be moved), but one must not pour water in it, because he extinguishes them (the sparks).

The *Gemora* asks: But he deprives the vessel of its preparedness (for now, the vessel – being a base for *muktzeh*, cannot be moved; and it was stated above that this cannot be done)?

Rav Huna the son of Rav Yehoshua answers: Sparks are insignificant (and the vessel is not regarded as a base for them).

The *Mishna* had stated: but one must not pour water in it, because he extinguishes them (the sparks).

The *Gemora* asks: Shall we say that we learned anonymously (in the *Mishna*) as Rabbi Yosi, who maintained that an indirect cause of extinguishing is forbidden?

The *Gemora* retorts: Now, is that logical? Granted that Rabbi Yosi ruled like that for *Shabbos*; did he rule that way for before the *Shabbos* as well? And should you say that here, as well, it refers to *Shabbos* itself, surely it was taught in a *braisa*: A vessel may be placed under a lamp on *Shabbos* to catch the sparks, and before *Shabbos* goes without saying; but one must not pour water in it before *Shabbos*, because he extinguishes them (the sparks), and on *Shabbos* goes without saying?

Rather, said Rav Ashi: You may say that it agrees even with the Rabbis, for here it is different, because one brings the (direct) extinguishing (of the sparks) near. (47b)

WE SHALL RETURN TO YOU, KIRAH



INSIGHTS TO THE DAF

Seltzer Bottles

By: Meoros HaDaf HaYomi

An interesting question that arises in the study of *meleches boneh* (building) is that of siphon bottles, the old-fashioned gas-charged seltzer bottles that were popular until not long ago. Is screwing the head onto the bottle considered a violation of *meleches boneh*?

Three levels of boneh: Under certain circumstances, *meleches boneh* may apply to the construction of utensils. Our *sugya* divides the construction of utensils into three distinct categories. **A. Tokei'ah:** securely attaching the parts of a utensil with nails is an *issur deoraisah*. (The Rishonim debate whether this is actually *boneh*, or perhaps a different *melachah*, *makeh b'patish*). **B. Mehadek:** Firmly attaching the parts of a utensil, but with a lesser level of permanence, is an *issur derabanan*. **C. Rafoi:** Loosely attaching the parts of a utensil is permitted. The Poskim (Remo O.C. 303:6) add that *rafoi* is only permitted when attaching a part that is usually left loose. Otherwise, it is forbidden to attach it even loosely, for fear that one might come to attach it tightly.

Why may one screw on caps? The Poskim endeavor to explain why it is permitted to screw on caps. Should this not fall under the *issur derabanan* of *mihadek*: firmly attaching parts of a utensil? Many utensils are built by screwing their parts together tightly, which would certainly be a violation. How is screwing on caps any different?

The Magen Avraham (O.C. *ibid.* s.k. 12) and Taz (*ibid.* s.k. 7) explain that screw-on caps are not meant to be left on the container indefinitely. They are attached and removed regularly, to allow use of the container's contents. One might think to interpret this ruling to mean that every temporary construction is permitted. However, the Chazon Ish (O.C. 50:9) proves from our *sugya* otherwise.

The *Gemara* forbids the construction of "workers' beds." In those times, hired workers often wandered from place to place in search of jobs. They would carry collapsible beds with them, and at night when their day was done, they would assemble

the pieces of their beds and go to sleep. The *Gemara* rules that if a person assembles such a bed on Shabbos, and fastens it tightly with nails, he violates an *issur deoraisa*. If he attaches the pieces firmly without nails, he violates an *issur derabanan*. Although the bed is only a temporary construction, it nevertheless falls under the prohibition of *meleches boneh*. Clearly, the Magen Avraham and Taz did not intend to permit temporary constructions. What then was their intention in permitting the use of screw-on caps?

The Chazon Ish explains that once the worker's bed is assembled, it is fit for use indefinitely. It is a sturdy and potentially permanent structure. Although one **intends** to disassemble it, there is no need to do so. Therefore, this is considered an act of *boneh*. Not so, with screw-on caps. The caps are useless if left on permanently. The entire purpose of the cap is to afford easy access to the contents. Thus, by very nature, the caps will be removed and replaced regularly. Therefore, screwing on a cap cannot be considered *makeh b'patish* (the completion of a utensil). Nor can it be considered *boneh*, since the jar cannot be used if the cap is left on forever. Based on this explanation, let us return to examine the case of the seltzer bottles. The bottle is first filled with water, and then the top is screwed on. A gas-charge ejects carbon dioxide into the bottle, carbonating the water, and the water is then drawn out of the bottle through a nozzle on top. Whereas other bottles can only be used when their cap is unscrewed, the seltzer bottle shoots seltzer through the nozzle when the top is screwed on. May we then say that by attaching the top to the bottle, a viable utensil was constructed, in violation of an *issur derabanan*?

Contemporary Poskim have ruled that there is no such prohibition against screwing on the top of a seltzer bottle on Shabbos. Although the seltzer bottle is indeed used while closed, it is not fit to be used indefinitely, while remaining closed. When the seltzer-water is finished, the bottle must be opened to be refilled. Therefore its impermanence is part of its nature. This is unlike the workers' beds, that once constructed can be used indefinitely (See *Orchos Shabbos*, chapter 8, footnote 4. Carbonating water on Shabbos is the subject of a different discussion, which is beyond the scope of this article).