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Shabbos Daf 49

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Tzvi Gershon Ben Yoel (Harvey Felsen) o"n

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Mishna

One may insulate food (*before Shabbos*) with clothing, produce, feathers of a dove, sawdust from a carpenter, or with fine flax shavings. Rabbi Yehudah prohibited insulating with fine ones, but permitted insulating with coarse ones. (49a)

Tefillin

Rabbi Yannai said: *Tefillin* demand a clean body, like Elisha, the man of wings.

The *Gemora* asks: What does this mean?

Abaye said: It means that one must not pass wind while wearing them. Rava said: It means that one must not sleep in them.

The *Gemora* asks: And why was he called 'the man of wings'?

The *Gemora* answers: It was because the wicked Roman government once proclaimed a decree against Israel that whoever donned *tefillin* should have his brains pierced through; yet Elisha put them on and went out into the marketplace. When an officer saw him, he fled before him, whereupon he gave pursuit. As he overtook him, he (*Elisha*) removed them from his head and held them in his hand. The officer demanded: What is that in your hand? Elisha replied: The wings of a dove. He stretched out his hand and lo, they were the wings of a dove. Therefore he is called 'Elisha the man of the wings.'

The *Gemora* asks: And why the wings of a dove rather than that of other birds?

The *Gemora* answers: It is because the Congregation of Israel is likened to a dove, as it is written: as the wings of a dove covered with silver. Just as a dove is protected by its wings, so is Israel protected by the commandments (*that it performs*). (49a)

Insulating

The *Mishna* had stated: [*One may insulate food (before Shabbos) with clothing, produce, feathers of a dove*] sawdust from a carpenter, etc. [*or with fine flax shavings. Rabbi Yehudah prohibited insulating with fine ones, but permitted insulating with coarse ones*].

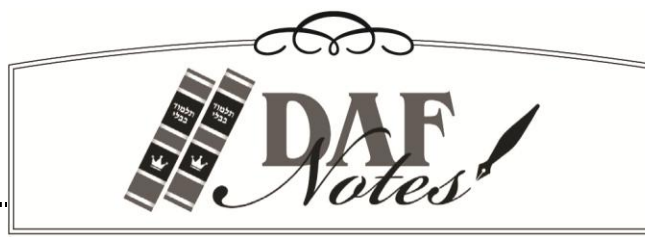
The scholars inquired: Does Rabbi Yehudah refer to the sawdust from a carpenter or to fine flax shavings?

The *Gemora* resolves this from a *braisa*: Rabbi Yehudah said: Fine flax shavings are like manure (*which may not be used to insulate with, for they add heat*). This proves that he was referring to fine flax shavings; this indeed proves it. (49a)

Mishna

One is allowed to insulate food before *Shabbos* with animal hides and it is permitted to move the hides on *Shabbos* (*whether they were used to insulate with, or whether they weren't used*). [*The hides are not muktzeh, as they can be used for reclining on Shabbos.*]

One may insulate food before *Shabbos* with pieces of wool but one may not move them on *Shabbos*. [*Wool shearings are used for spinning and weaving and are considered muktzeh.*]



The *Mishna* asks: What then should he do? [When he used wool shearings to insulate a pot, how will he gain access to the pot if the wool cannot be handled?]

The *Mishna* answers: He takes off the lid (which protrudes through the shearings), and this allows the wool shearings to fall off by themselves. [This is permitted, for the *muktzeh* is being moved in an indirect manner.] Rabbi Eliezer ben Azaryah says that one tips the whole box (the wool shearings and the pot) on its side, and the food is removed, lest one remove the pot and be unable to replace it (for if the pot is lifted out, the shearings may all collapse, and since they must not be handled, they cannot be parted in order to replace the pot), but the Sages say: one may take and replace it. (49a)

Craftsman

The *Gemora* relates: Rabbi Yonasan ben Achinai and Rabbi Yonasan ben Elozar were sitting, and Rabbi Chanina bar Chama sat with them, and the following question was asked: Was the *Mishna* referring to hides belonging to a private individual (which are not regarded as *muktzeh*, since he does not expect to sell them, he does not mind if they are used as a rug), but those of a craftsman, since he is particular about them (for since he intends on selling them, he does not want them to become soiled and he will not be willing to have them used as a rug; therefore they are regarded as *muktzeh*) they may not be handled; or perhaps, we learned about those of a craftsman, and all the more so those of a private individual?

Rabbi Yonasan ben Elozar said to them: It stands to reason that we learnt about those belonging to a private individual, but as for those of a craftsman, he is particular about them.

Rabbi Chanina bar Chama said to them: Like so did Rabbi Yishmael the son of Rabbi Yosi say: My father was a professional tanner, and he would say: Fetch hides for us that we may sit on them. [Evidently, even a craftsman is not particular about using them for rugs.]

The *Gemora* asks from a *braisa*: Boards belonging to a householder may be handled; those of a craftsman may not be handled; but if one intended to place bread upon them for guests, whether this or whether that (whether they belong to a

householder or a craftsman), they may be handled!? [Evidently, wares of a craftsman are indeed *muktzeh*!?!]

The *Gemora* answers: Boards are different, for a craftsman is certainly particular about them (that they should not get warped).

The *Gemora* attempts to cite a proof from a *braisa*: Hides, whether tanned or not, may be handled on *Shabbos*; 'tanned' is a factor only in respect to *tumah* (that the hides will only be susceptible to *tumah* when tanned). Now surely, no distinction is drawn whether they belong to a householder or a craftsman (and in both cases, they are not *muktzeh*)?

The *Gemora* deflects the proof: No; it means those of a householder.

The *Gemora* asks: But what of those of a craftsman? Do you hold that they may not be handled? If so, when it is taught in the *braisa*: 'tanned' is a factor only in respect to *tumah*, let a distinction be drawn and taught in that itself (regarding *muktzeh*, as follows): When is that said? It is only of those belonging to a householder, but not concerning those of a craftsman?

The *Gemora* answers: The whole *braisa* deals with those of a householder (and the only distinction that can be drawn is with respect of *tumah*).

The *Gemora* notes that the issue is dependent on *Tannaim*, for it was taught in a *braisa*: Hides of a private individual may be handled, but those of a craftsman may not. Rabbi Yosi said: Either this one or that one may be handled. (49a – 49b)

Labor on Shabbos

Again they sat and inquired: Regarding that which we learned in a *Mishna*: There are thirty-nine main categories of *melachos* (that are forbidden to perform according to Torah law) on *Shabbos*; to what do they correspond?

Rabbi Chanina bar Chama said to them: They correspond to the (thirty-nine) forms of labor in the Tabernacle. [Every form of labor necessary in the construction of the Tabernacle and in the preparation of its components was regarded as a principal



category of work forbidden on Shabbos. This is learned from the juxtaposition of the commands concerning Shabbos and the erection of the Tabernacle.]

Rabbi Yonasan ben Elozar said to them: Like so did Rabbi Shimon the son of Rabbi Yosi ben Lakonia say: They correspond to the (following) words: 'work' -- *melachah*, 'his work' -- *melachto*, and 'the work of' -- *melechtes*, which are written thirty-nine times in the Torah.

Rav Yosef inquired: Is (the word '*melachto*' mentioned in this verse) 'and he (Yosef) went into the house to do his work' included in this number, or not?

Abaye said to him: Then let a Torah Scroll be brought and we will count! Did not Rabbah bar bar Chanah say in the name of Rabbi Yochanan: They did not stir from there until they brought a Torah scroll and counted them?

Rav Yosef replied: The reason that I am doubtful is because it is written: *for the work (ve'ha-melachah) they had was sufficient (by the collecting of materials for the Mishkan).* [There is therefore a total of forty times that the word '*melachah*' is mentioned in the Torah.] Is that one of the counting, while this (by Yosef) is to be interpreted in accordance with the view that he entered to perform his needs (to cohabit with Potifar's wife), or perhaps 'and he (Yosef) went into the house to do his work' is of the counting, while this '*for the work they had was sufficient*' is meant as follows: their business (of bringing donations) was completed? The Gemora leaves this question unresolved.

The Gemora cites a *braisa* in accordance with the opinion that it corresponds to the forms of labor in the Tabernacle, for it was taught in a *braisa*: Liability is incurred only for work of which the same was performed in the Tabernacle. They planted, and therefore - you must not plant; they reaped, and therefore - you must not reap; they lifted up the boards from the ground (a public domain) to the wagon (a private domain), and therefore - you must not carry in from a public to a private domain; they lowered the boards from the wagon to the ground, and therefore - you must not carry out from a private to a public domain; they transferred boards from wagon to wagon, and therefore - you must not carry from one private to another private domain.

The Gemora asks: From one private to another private domain; what was done?

Abaye and Rava both said, and others say that it was Rav Adda bar Ahavah: It means from one private to another private domain via a public domain. (49b)

INSIGHTS TO THE DAF

Why Tefillin is Worn Only During Davening?

By: Meoros HaDaf HaYomi

In days gone by, it was the custom to wear *tefillin* for the entire day, as we find in numerous places in the Talmud (see Bach O.C. 37:3). The Tur (O.C. 37) writes, "The *mitzvah* is to wear *tefillin* throughout the day. However, *tefillin* require bodily cleanliness, that a person not pass wind while wearing them. Furthermore, he must not let his thoughts wander while wearing them. Not every person is capable of fulfilling these conditions. Therefore, the custom is not to wear them throughout the day." From here it would seem that wearing *tefillin* for the entire day is a *mitzvah*, and not merely a praiseworthy custom. This article will attempt to define this *mitzvah*.

The Pri Megadim (37 s.k. 2) addresses this issue, questioning whether there is a *mitzvah deoraisa* to wear Tefillin for the entire day, or perhaps one fulfills his obligation *midoraisa* by wearing *tefillin* for even one moment, but the Sages enacted to wear Tefillin continuously throughout the day. In later generations, when it became impossible to maintain the purity of body and mind necessary to wear *tefillin* all day, the practice was abandoned. The Pri Megadim concludes that by wearing *tefillin* for even one moment, one fulfills his obligation *midoraisa* yet the practice of wearing them throughout the day is not merely a rabbinic enactment, but a more preferable way of fulfilling the *mitzvah deoraisa*. The Kesef Mishna also follows this approach, ruling that the *mitzvah deoraisa* of *tefillin* is fulfilled by wearing them for even one moment. (Hilchos Yesodei HaTorah 5:1. See Rambam Hilchos Tefillin, 4:25-26).

The Elijah Rabbah and Yeshuos Yaakov rule, however, that the practice of wearing Tefillin throughout the day is not just a preferable *hidur*, but a binding obligation. One who cannot maintain sufficient bodily purity is sadly unable to fulfill his obligation, but one who is able wear *tefillin* all day must not shirk his obligation.

The Biur Halacha (37 s.v. *mitzvasan*) adds that only a person who can guard his mind from impure thoughts and refrain from frivolity should wear *tefillin* all day. He concludes the matter by stating, "Fortunate is the person who fulfills (the *mitzvah* of *tefillin*) properly. Our Sages say that Rabbi Eliezer's students asked him how he merited such venerable old age. He answered that he never walked four paces without *tefillin* and Torah study."

Some Rishonim imply that the Sages enacted a special decree not to wear tefilin all day (see Beis Yosef). Accordingly, one may not be unduly stringent by wearing *tefillin* all day, in contradiction to our Sages' enactment. However, this opinion was not accepted in halacha (see Tosefos s.v. *k'Elisha*). Therefore, the Biur Halacha concludes that one who does wear *tefillin* all day is indeed praiseworthy.

DAILY MASHAL

How Many Times does the Word Melachah Appear in the Torah?

The Sages of the *Gemara* found the word *melachah* in thirty nine places in the Torah. They saw this as a hint to the thirty-nine prohibited *avos melachos* (primary forms of "work" activities) of *Shabbos*. The *Gemara* relates that the Sages went through the entire Torah from beginning to end to count the appearances of the word *melachah*; "They did not move from there until a Sefer Torah was brought, and the words counted."

The Tosfos Yom Tov (7:2) writes that his son, Rav Avraham, asked that when he went through the Concordance (an alphabetical index of the principal words of the Torah, with a reference to the verses in which each occurs) he found the word *melachah* mentioned many more than thirty-nine times. In truth, Rabbeinu Chananel, one of the earliest Rishonim,

posed this question many years before. He answers that the Sages did not include every mention of *melachah* in their count. There are numerous apparent printing errors in our edition of Rabbeinu Chananel, but according to commentators' necessary corrections the following explanation of the Sages' enumeration emerges.

The three times *melachah* is mentioned in *vayechulu*, in the story of Creation, are not included, since they refer not to the work of man, but to the work of God. Similarly, when *melachah* is used in reference to a commodity, rather than work, it is not included in the list [See Bereishis 33:14, "According to the pace of the *melachah* (a reference to the flock) that is before me"; Shemos 22:7, "That he did not stretch his hand toward the *melachah* (possession) of his fellow." See also Shemos 31:3, 35:21, 35:24, 35:31, 36:4, 38:24, 40:33, Vayikra 13:48]. *Melachah* is mentioned an additional twelve times in reference to *melechtes avodah* forbidden on Yomtov, excluding *melachos* that are necessary in the preparation of Yomtov food. These too were omitted from the count. After all these instances are subtracted, we are left with only forty mentions of *melachah*, which leads our *Gemara* to question which one of the forty should be subtracted to reach the required number of thirty-nine (Kovetz Talpios, Tishrei 5721, VII:2-4. Also cited in *Hadarom* 22, Tishrei 5726, p. 179).

Tosfos Yomtov offers an alternate appraisal of our Sages' count. Rashi explains that the *passuk*, "Do not perform any *melachah* on the day of *Shabbos*," hints that the number of forbidden *melachos* equals the number of times *melachah* is mentioned in the Torah. The same is true of every mention of *melachah* in reference to the prohibitions and punishments of *Shabbos* desecration. They are not meant to be counted to reach the number of prohibitions, but rather to indicate that there is such a thing as *Shabbos* desecration, and its laws depend upon the mention of the word *melachah* - elsewhere. There are twenty-five such mentions of *melachah* in the Torah, and when they are subtracted we are left with just forty.