

Daf Notes is currently being dedicated to the neshamah of

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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

HIGHLIGHTS

1. A donkey may only go out wearing a saddle cloth on *Shabbos* if the saddle cloth was tied before *Shabbos*. The *Tanna Kamma* holds that a donkey may never go out wearing a saddle on *Shabbos*. Rabban Shimon ben Gamliel holds that the donkey may go out wearing a saddle, but not wearing the straps used to secure packages.
2. One may put a saddle cloth on an animal on *Shabbos* (but not take it into the public domain – *Rashi*). *Rav* says one may even put on a feeding basket. *Shmuel* and *R' Yochanan* (as quoted by *R' Binyomin bar Yefes*) disagree. One may not directly remove a saddle from an animal on *Shabbos*. However, one may put it on the animal directly.
3. A horse may not go into the public domain on *Shabbos* with a fox tail or a ribbon tied between its eyes. A *zav* may not go out wearing his sack. A goat wearing a sack on her udder, a cow with a muzzle, and a foal wearing a feeding basket may not go out to the public domain on *Shabbos*. An animal may not go out shod, or wearing a *kemeah*, even if it is already proven to be effective for human beings. It may, however, go out wearing a bandage or a splint on a wound, and it may go out if its afterbirth is still emerging. In any case, the bell on its neck must be silenced even when the animal goes into a courtyard, and it must be removed before entering the public domain. According to *Rav*, one may put a feeding basket on a horse when it is in a courtyard. According to *Shmuel* and *Rav Yochanan*, this is true only of a young foal.
4. An animal may go out into the public domain on *Shabbos* wearing a *kemeah* if its effectiveness has been proven on animals. A human may go out wearing one whose effectiveness has been proven on humans. One may smear

an animal's wound with oil, or remove a scab, if this alleviates some of the animal's pain. He may not, however, if it merely provides the animal pleasure. (according to *Rashi* and *Ritva*, *Rav disagrees*). A person may smear oil on his own wound, or remove a scab, even to provide pleasure. One may not stand an animal in water to relieve diarrhea on *Shabbos*, but a human may do so.

5. If an animal is given to a shepherd to watch, the animal's *techum Shabbos* is set by the shepherd (*Rashi*). If the animal leaves its *techum* on *Shabbos*, the owner may call the animal to him, but he may not take it by hand. The *Tanna Kamma* holds that one may not have an animal run on *Shabbos* to stimulate it to move its bowels if it suffers from dysentery. *Rabbi Oshaya*, however, ruled leniently, and the halachah follows him.
6. *Rav Yehudah* said that a goat may not go out with its udder covered unless the covering is secured tightly. *Rav Yosef* showed that the entire discussion is the subject of a Tannaic debate in our *Mishna*: *Rabbi Meir* (*Rashi*) permits them to go out with their udders covered, *Rebbe Yosi* prohibits it, and *Rebbe Yehudah* allows it when they are covered to dry up the milk supply, but not to retain their milk.
7. Heaven is more likely to send clear miracles in order to keep a person alive than to provide him with an easy income. The *Gemora* praises the *tznius* of a couple where the husband was unaware that his wife was an amputee.
8. The *Mishna* had said that rams (males) may go out in *bubin* into the public domain, and ewes (females) may go out in *shechozos*. In explanation of the term *bubin*, *Rav Huna* explains that it refers to a way of tying two rams together, so that they do not run away. *Ulla* says it was a piece of leather

stretched for protection over the heart, where wolves are likely to strike. Rav Nachman bar Yitzchak said this was a piece of leather tied under the ram's crotch to prevent it from mating. *Shechozos*, the *Gemora* explains, are a way of tying the ewe's tail up, so that the ram's see them and become aroused.

COMMENTARY

1. The *Mishna* on the previous Daf said that a donkey may go out on *Shabbos* wearing a saddle cloth that is tied on to it. Shmuel explains that the cloth must have been tied before *Shabbos*. The *Gemora* cites a *braisa* that concurs with this, and adds that, according to the *Tanna Kamma*, the donkey may never go out on *Shabbos* with a saddle. Presumably, since the donkey cannot carry a pack on *Shabbos*, the saddle is considered a load. Rabban Shimon ben Gamliel holds that the donkey may go out with a saddle on *Shabbos*, since it will help keep the donkey warm. However, the donkey may not go out with straps attached to the saddle that keep a load from falling off.
2. Although Shmuel said that a donkey may not go out into the public domain with a saddle cloth that was put on it on *Shabbos*, this does not mean that it is forbidden to put the saddle cloth on the donkey. All opinions agree that since the donkey must be kept warm, one may put a saddle cloth on it so long as it does not go into the public domain. Rav says that one may even put a feeding basket¹ on it. Shmuel disagrees. Since the feeding basket is there only for the pleasure of the animal, but not to alleviate pain, Shmuel considers it a load. R' Zeira heard R' Binyomin bar Yefes cite R' Yochanan as ruling like Shmuel, and R' Zeira praised him for it.

While discussing whether a saddle cloth may be put on a donkey, the *Gemora* cites a *braisa* which states that one may not remove a saddle directly on *Shabbos*. Rather, one should have the donkey move around until the saddle falls off. The *Gemora* initially assumes that it is more serious to put a saddle on than to take it off. Thus, we can derive that one may not put a saddle on, either. The *Gemora* therefore asks why a saddle is forbidden to put on a donkey, whereas a saddle cloth is

permitted. The *Gemora* answers that although one may not remove the saddle directly, this is only because it can be removed indirectly. Thus, it would seem that one *may* put the saddle on directly, just like a saddle cloth. Rav Pappa answers that the laws of removing a saddle are more stringent than those of putting it on, since the donkey requires warmth more than it requires cold. Thus, when it needs a saddle (or a saddle cloth) put on it, it feels pain until it is warmed, whereas when it is sweaty from hard work (Rashi) and needs to cool off, it is merely giving the animal pleasure to remove the saddle.

3. The *Gemora* then cites a *tosefta* which states, among other things, that a foal may not go out into the public domain wearing a feeding basket. The *Gemora* derives that the animal may go out in a courtyard that way. If so, we can see that one may even provide an animal with a feeding basket for its pleasure, which contradicts Shmuel's ruling earlier that one may only provide the animal with that which alleviates its pain. The *Gemora* answers that the *braisa* refers specifically to a young foal, whose neck is too small to graze easily on the ground. Thus, it is painful for it to graze without a feeding basket. A larger animal, however, may not wear a feeding basket even in a courtyard. The *Gemora* concludes that this is the likely interpretation of the *braisa*, since it is placed in conjunction with a prohibition against taking an animal out wearing a *kemeah*, an amulet for healing.

The rulings of the *braisa* are as follows: A horse may not go into the public domain on *Shabbos* with a fox tail² or a ribbon tied between its eyes for adornment. A *zav*³ may not go out wearing his sack. A goat wearing a sack on her udder,⁴ a cow with a muzzle, and a foal wearing a feeding basket may not go out to the public domain on *Shabbos*. An animal may not go out shod,⁵ or wearing a *kemeah*,⁶ even if it is already proven to be

2 This is a literal translation, but the term might be just a name for some other device. Rashi says that the "fox tail" was "hung on it between its eyes, so that the eye should have no power over it." This might mean that it was used to cover the horse's face, so that passerby not see it, or that it was meant somehow to protect the horse from an *ayin hara*.

3 A *zav* is a male who experienced an unusual type of seminal emission which renders him *tamei* to various degrees, depending on how many emissions he had. They would therefore tie a sack around the *zav*'s private area to check for additional emissions.

4 Either to retain the milk, as above, or to protect the goat's udder, which hung very low (Rashi).

5 I.e. wearing a metal shoe to protect its feet from stones (Rashi).

6 As described earlier, a *kemeah* is an amulet contain words, often of a Kabbalistic nature, that are meant to heal or assist the wearer in some other way.

effective for human beings. To be proven effective means that it has already been effective three times in healing someone (Rashi). It may, however, go out wearing a poultice or a splint⁷ on a wound, and it may go out if its afterbirth is still emerging. In any case, the bell around its neck must be silenced even when the animal goes into a courtyard, since it is forbidden as a noisemaker (Rashi), and it must be removed before entering the public domain, since the bell gives it the appearance of going to the market (Rashi).

4. The *Gemora* asks why an animal may not go out on *Shabbos* wearing a *kemeah* that has been proven effective, when a human being may go out wearing such a *kemeah*. The *Gemora* answers that the *kemeah* under discussion has only been proven effective with human beings. Since a human being has *mazal* (see *Iyunim* 2), he is more likely to be healed than an animal, and a *kemeah* that has been effective with a human might not be effective with an animal. The *Gemora* cites a *braisa* that states that a human may anoint himself with oil, or remove a scab, but he may not do so for an animal. Presumably, these are treatments for pain. If so, the *Gemora* asks, why is it forbidden to treat an animal? The *Gemora* answers that it is only forbidden if the wound is already closed to the point where the oil and the scab-removal do not alleviate pain so much as provide pleasure. In the case of a wound that is still open, even an animal may be treated. Rashi points out that Rav disagrees with this (see *Iyunim* 1).

If an animal suffers from diarrhea,⁸ one may not stand the animal in water to relieve its pain. Although in general one may do things to alleviate an animal's pain on *Shabbos*, this is considered a form of healing, which is forbidden for both men and animals as a precaution against transgressing the Torah prohibition of grinding herbs for medication. However, a human may stand in water if he is afflicted with diarrhea. In general, the rule is that any medicinal action that is sometimes done for other reasons may be done on *Shabbos* even for healing. Thus, one may take a walk even if his intent is for exercise. Similarly, since human beings sometimes stand in water to cool off, one

⁷ I.e. two boards tied together, one on either side of a broken limb, to hold the limb in place until the bone is healed (Rashi).

⁸ The *Gemara* refers to this as *achzah dam*, literally, "blood grabbed it." Rashi translates this into Old French as *anpadura*. In *Bechoros*, 33b, Rashi calls it *apindur*. According to *La'zei Rashi* in *Bechoros*, this means stomach illness or diarrhea.

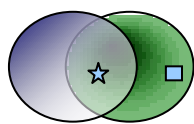
may do so to alleviate his discomfort from diarrhea. Since animals are not normally stood in water to cool them off, it is clear that it is being done for healing, and is thus forbidden on *Shabbos*. (See 5 below, however, that the final halachah according to Rava is that even an animal may be stood in water.)

5. The *Gemora* questions the assumption that we prohibit healing an animal on *Shabbos*, out of concern that one will come to grind herbs for medicine. The *Gemora* cites a *braisa* that states that if one's animal is outside the *techum Shabbos*,⁹ he may call the animal to him, but he may not physically take the animal. At this stage, the *Gemora* assumes the *braisa* means that the animal is beyond the *techum* of its owner. Thus, he may not go get the animal, but he may call it to come. We are not concerned that he might actually leave his *techum* while trying to get the animal.

According to Ritva, the comparison of this case to the cases of healing cited above is based on the fact that the animal under discussion needs food. If the owner does not feed it, it may die. Nevertheless, we do not say that there is a concern that the owner may overstep the bounds of the *techum* in his attempts to retrieve the animal. In the same way, the *Gemora* assumes, we should not be concerned that when the animal is ill, the owner might forget himself and grind herbs for medicine. Thus, the prohibition of healing should not apply to an animal. (It would seem that, according to Ritva, the prohibition of healing out of concern that one may come to grind herbs is based on the worry that one has for the ill person. Once he begins to try to help the ill person, he might forget himself and do too much. Thus, where his concern is only for his property, i.e. his animal, there is less worry that one will transgress.)

The *Gemora* answers by explaining that the animal is not outside of the owner's *techum Shabbos*, in which case there is concern that the owner might overstep his bounds. In that case, it would indeed be prohibited even to call the animal over. The situation under discussion is where the animal was given to a shepherd to watch, in which case the animal's *techum Shabbos* is set by the shepherd.

⁹ One may not walk more than 2,000 *amos* in any direction from the place he was standing when *Shabbos* came in. This 2,000-*amah* radius is known as his *techum Shabbos*. The *techum Shabbos* of one who is in a city begins at the city limits.



Animal's Techum Owner's Techum

★ - Animal ■ - Owner's home

If the animal's *techum* does not extend all the way to the owner's home, the owner may not physically bring it, since he would be directly causing his animal to overstep its *techum*. Technically, however, he is not required to respect the *techum* of his animal, and he may thus bring it home indirectly, by calling it to him.

The *Gemora* concludes by citing R' Nachman bar Yitzchak, who points out that there is, indeed, a dispute over whether healing (of animals – Ritva) on *Shabbos* is prohibited at all. If an animal eats a lot of pebbles, and contracts dysentery, one method of helping it is to cause it to move its bowels by having it run around. R' Nachman cites a *braisa* that states that one may not have his animal run through the field on *Shabbos* to alleviate its dysentery, but Rebbe Oshiya permitted it. Rava ruled like Rebbe Oshiya. (It seems, then, that R' Nachman bar Yitzchak explained the previous *braisa*, that a man may call to his animal when it is outside the *techum*, as meaning outside of his own *techum*. Although one might think that he may overstep the *techum* when calling the animal, we are not concerned that someone will transgress because of worry over his animal. Similarly, Rava would hold that we may even stand an animal in water to relieve its diarrhea, even though this is a form of healing.)

6. Rav Yehudah said that a goat may not go out with its udder covered unless the covering is secured tightly. Rav Yosef showed that the entire discussion is the subject of a Tannaic debate in our *Mishna*: The Tanna Kamma (i.e. Rebbe Meir – Rashi) permits them to go out with their udders covered, Rebbe Yosef prohibits it, and Rebbe Yehudah allows it when they are covered to stop the supply of milk, but not to retain their milk. This is both because when they are put on to retain milk, they are looser, and also because if they retain milk, they are being used to carry a load (Rashi). Rav Yehudah knew that this was a debate in our *Mishna*, but he preferred to explain two anonymous *baraisos* so that they did not contradict one another (Tosafos), presumably on the grounds that they likely were the accepted ruling if they were transferred anonymously.

7. The *Gemora* cites a story of a man whose wife died, leaving him with a nursing baby. He had no money to pay a wet nurse, so a miracle occurred, and he found himself able to nurse the baby himself. (See Tosafos Yeshanim, citing Bereishis Rabbah, that this also happened to Mordechai when he was raising Esther.) The *Gemora* questions why Hashem did not simply send him money to pay a nurse, and answers with the dictum, “a miracle will happen, but his financial situation will not improve.” See Rashi, that this refers to a regular occurrence: many miracles are constantly occurring – even open miracles – to provide for those who are in dire straits, but we do not see that food or money suddenly appears for the righteous. The *Gemora* then cites a story of an amputee who was so modest, her husband never found out that she lost her hand until she died. Rav praised the modesty of the woman; Rebbe Chiya praised the modesty of a man who did not gaze even at his wife.

8. The *Mishna* had said that rams (males) may go out in *bubin* into the public domain, and ewes (females) may go out in *shechozos*. In explanation of the term *bubin*, Rav Huna explains that it refers to a way of tying two rams together, so that they do not run away. Ulla says it was a piece of leather stretched for protection over the heart, where wolves are likely to strike. The reason this ruling applies only to males, explains the *Gemora*, is because males walk with their nose in the air, swinging back and forth, and the wolves see it as a challenge. Rav Nachman bar Yitzchak said that *bubin* are leather ties under the ram's crotch to prevent it from mating. *Shechozos*, the *Gemora* explains, are a way of tying the ewe's tail up, so that the ram's see them and become aroused. Thus, if the next few cases deal with concerns regarding mating the animals, it is logical that *bubin* do so as well. (The next case mentioned in the *Mishna* after *bubin* are *kevulos*, which refer to tying the ewe's tail down so that the males do not mate with her. Tosafos explains that this would be a more perfect comparison to the case of *bubin* according to Rav Nachman bar Yitzchak, but that the *Gemora* chose the first case in the *Mishna* that was relevant.) (52b – 53b)



INSIGHTS TO THE DAF

Saddle Cloth

Rav Asi bar Nosson asked Rav Chiya bar Rav Ashi if one may put a saddle-cloth on a donkey on *Shabbos*. He answered that it was permissible. Rav Asi then cited a *braisa* which implied that one may not put a saddle on the donkey on *Shabbos*, and asked why a saddle-cloth should be different. R' Zeira responded, "Leave him be. He holds like his Rebbe." R' Zeira then showed that Rav, Rav Chiya's Rebbe, held that even a feeding-basket may be put on an animal on *Shabbos*. Later on, the *Gemora* points out that even Shmuel holds that a saddle-cloth may be put on an animal, though not a feeding-basket, and the *Gemora* asks again why this should be different than a saddle.

It is interesting to note that the *Gemora* first shows that Shmuel agrees with Rav before reopening the question that a *braisa* seems to contradict them. "According to *everyone*, at least a saddle-cloth is permitted – why is this different than a saddle?" It is also interesting that when Rav Asi cited a *braisa* that seemed to contradict Rav Chiya, R' Zeira simply said, "Leave him alone. He holds like his Rebbe."

In explanation of this, the Ritva explains that Rav, who considered himself a Tanna and thus capable of arguing with Tannaic statements, simply disagreed with Rav Asi's *braisa*. When Rav Asi showed Rav Chiya that a *braisa* contradicted him, he merely had to show that his Rebbe, Rav, held like him, and Rav Asi's *braisa* was no longer relevant.

This point is critical to understanding the remainder of the *Gemora* as well. The *Gemora* later cites a *braisa* that seems to support Rav, for it says that a foal may not go out into the public domain wearing a feeding-basket, implying that it may go into the courtyard that way. Shmuel answered that the foal under discussion was young, and that it is painful for the young foal to bend over far enough to graze, but that an older animal would indeed be forbidden even from a courtyard while wearing the feeding-basket. The *Gemora* concludes by saying that this interpretation is the more logical one, since the *braisa* also cites the case of a *kemeah*, which is clearly used to alleviate pain and injury as opposed to providing pleasure. The

Ritva points out that Rav does not disagree that this is the more logical interpretation of the *braisa*. He simply disagrees with the *braisa*.

Later, the same issue comes up again when the *Gemora* cites a *braisa* that prohibits one from smearing oil on an animal's wound, or peeling off a scab. The *Gemora* interprets this to mean when the wound is already mostly healed, so that the oil or scab-removal only gives the animal pleasure. Thus, the *braisa* does not contradict Shmuel. Rav, however, even permits one to do things that give the animal pleasure. The *braisa* is thus clearly contradicting him. Here, Rashi also points out that Rav simply disagrees with the *braisa*.

Perhaps Rashi did not point this out in the earlier two cases since the *Gemora* could have been understood without it up to this point. In the first case, where Rav permitted a saddle-cloth to be used, the *Gemora* eventually shows that Shmuel agrees, and explains how the *braisa* does not contradict this. In the second case, the initial interpretation of the *braisa* supported Rav, and the fact that the latter interpretation is favored by the *Gemora* does not mean that Rav himself accepted this interpretation. Only in the final case, where the *braisa* clearly prohibited an action because it gives the animal pleasure, did Rashi have to point out that Rav could not explain the *braisa* according to his ruling, and thus it is clear that he invoked his status as a quasi-Tanna to disagree with the *braisa*.

DAILY MASHAL

Mazel

In explanation of why a *kemeah* that is proven effective to heal human beings might not be effective for animals, the *Gemora* explains that "a human has *mazel*." Rashi explains that this means that each one of us has a "guardian angel" that argues our case in Heaven and tries to save us from trouble. Thus, the *kemeah* helped where there was already a reason for the person to become better, as opposed to an animal, which has no such angel arguing to protect it. However, see Rashi in Bava Kamma (2b, s.v. "adam d'is beih" and "ksiv ki yigach") where Rashi gives two other interpretations of this phrase: 1) He is intelligent, and thus able to actively protect himself, 2) It takes more to kill him than it does to kill an animal.