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Indirect Transfer to a Karmelis

The *Gemora* proves that the Sages didn't prohibit indirect transfer from a private domain to a *karmelis* from a *braisa* about a boat.

The *braisa* says that one may not carry from a boat into the sea or vice versa. Rabbi Yehudah says that if the boat is 10 *tefachim* deep, but not 10 *tefachim* of its walls are out of the water, one can take something from the boat to the sea, but not from the sea to the boat.

The *Gemora* says that the only way to explain how one may carry from the boat (a private domain) to the sea (a *karmelis*) is by throwing water onto the outer wall of the boat, from where it will fall into the sea, which would be permitted, as it is indirect. This explains why Rabbi Yehudah only allowed one to throw from the boat to the sea and not vice versa, since such indirect spilling can only be done in that direction. Any other form of transferring, in either direction, is prohibited. (100b – 101a)

Extending Walls Downwards

Rav Huna says that one may only carry within 4 *amos* on small Maishan boats, as they are not big enough to be considered a private domain. If the

boat is 4 *tefachim* wide at any point below 3 *tefachim* from the bottom, or if one raised the floor by filling it in with branches and twigs, making it 4 *tefachim* wide within 3 *tefachim* of the new floor, it is considered a private domain, and one may carry anywhere inside it.

Rav Nachman challenges this statement, as we should consider the walls of the boat to extend from the point where they are 4 *tefachim* apart downwards, making the whole boat a private domain.

To prove this concept, Rav Nachman cites a *braisa* in which Rabbi Yosi the son of Rabbi Yehudah says that if one stuck a thin beam (less than 4 *tefachim* wide) in the public domain, and put a wide basket on top of it, one is liable if he threw something into the basket, implying that we extend the walls of the basket down, making it a private domain.

Rav Yosef challenges this proof, as Rav Yehudah in the name of Rav (or Rabbi Chiya) concludes the *braisa* cited by saying that the Sages say one is not liable.

Abaye asked Rav Yosef how he could challenge the concept of extending walls downward, as the *braisa* says that if one threw onto a beam in the public

domain, which is 10 *tefachim* tall and 4 *tefachim* wide at its top, but only reaches a width of 4 *tefachim* above 3 *tefachim* from the ground, he is liable. Based on this *braisa*, we must conclude that the Sages exempt one only in the case of the basket, since it is fully open below the basket, even allowing a kid goat to trample under it, which precludes extension of the wall. However, in the case of the beam which widens, or the boat, we can extend the wall downwards.

Rav Acha the son of Rav Acha asked Rav Ashi why we don't similarly say that the fact that the fish can pass under the upper walls of the boat also precludes the walls from being considered extended down.

Rav Ashi answered that fish passing through does not nullify a wall.

He proves this from Rabbi Tavla's question to Ravin whether a wall in an avalanche that hangs more than 3 *tefachim* above the ground is considered an enclosing wall. Ravin answered that a hanging wall only works above water, as the Sages were only lenient in that situation. Since the Sages did allow it over water, even though fish can pass under it, we see that fish passing through does not nullify a downward extension of a wall. (101a)

Carrying Between Boats

The *Mishna* stated that if two ships were tied together, one may carry between them.

The *Gemora* says that this is obvious, and Rava explains that the *Mishna* is teaching that one may

even carry via a small boat in between them, even if it isn't tied together with them.

Rav Safra asked Rava how he could consider this a valid explanation, as the *Mishna* says that one may carry "from one to the other," with no reference to any other boat.

Rav Safra instead explains that the *Mishna* is teaching that even if they belong to two people, if they are tied, one may make an *eruv* and carry between them.

To support this, the *Gemora* cites a *braisa* which states that if two boats are tied together, one may make an *eruv* between them and carry between them. If the boats were detached, and then were reattached, whether the retying was done intentionally, under duress, or mistakenly, one may again carry between them. Similarly, if two people hung mats to serve as walls, they may make an *eruv* and carry between each other. If the mats were rolled up, they may not carry, but if they were rehung, whether unintentionally, intentionally, under duress, or mistakenly, they may again carry. The *braisa* explains that any wall that was made on Shabbos, no matter how, is valid.

The *Gemora* challenges this last statement of the *braisa* from Rav Nachman's statement that a wall made on *Eruv* is only a wall for purposes of making someone liable for carrying into it from a public domain, but not to allow one to carry inside it. The *Gemora* answers that Rav Nachman was only referring to a wall made intentionally on *Shabbos*, while the *braisa* allows carrying only if it was done unintentionally. (101a – 101b)

How Must they be Tied?

Shmuel says that even if the boats are tied by a thread, one may carry between them.

The *Gemora* asks what Shmuel meant. If the thread isn't strong enough to hold them, it should be prohibited to carry, and if it is strong enough, it's obvious that it is sufficient.

The *Gemora* explains that Shmuel was referring to a thread strong enough, but he stated this in contrast to another statement he made, in which a thread is not sufficient. The *Mishna* says that if one tied a boat to a tent with a corpse in it, if it is strong enough to hold the boat, the impurity of the corpse spreads to the boat, but otherwise it does not spread. Shmuel says that it only spreads if one attached the boat with an iron chain.

The *Gemora* explains that only in the context of impurity of a corpse, where the verse referring to the "corpse of a sword" makes a utensil (like a sword) as impure as the corpse which touches it, is a metal chain necessary. However, in the context of permitting carrying on *Shabbos*, anything that holds the boats together, even a strong thread, is sufficient. (101b)

INSIGHTS TO THE DAF

Boats of Maishan

The *Gemora* discusses the status of Maishan boats.

Rashi explains that these boats are narrow at the bottom and widen further up, and the *Gemora* is

saying that if it isn't 4 *tefachim* wide at a height of 3 *tefachim* or less it is a *karmelis*.

Tosfos (101a Hani) challenges Rashi's explanation with three questions:

1. Since a *karmelis* also needs a minimum width of 4 *tefachim*, so it should be a *makom petur* – domain with no liability for carrying.
2. How can the *Gemora* consider that possibility that we extend the walls downward, as the narrow part of the boat block usage of that full area, just like a hanging mat would?
3. The *Gemora* says that if one raised the floor with twigs, it can become a private domain. Why must he actually raise it, and not just suffice with the fact that it could be raised?

Tosfos therefore cites the explanation of Rabbeinu Chananel, who says that these boats are rafts which have wide gaps between the slats of its floor and walls. His text of the *Gemora* omits the mention of a height of 3 *tefachim*. There is no narrow part to preclude extending the walls down, and the twigs the *Gemora* refers to are to fill in the gaps.

The Shulchan Aruch does not cite this halachah.

The Biur Halacha (366:2, v'im ain) cites the explanations of Rashi and Tosfos and states that both are valid, and therefore one must treat both types of boats as specified.

The Aruch Hashulchan (355:13) suggests that the Shulchan Aruch rejected Rashi's explanation, and followed Rabbeinu Chananel's. Since rafts like he describes are not common, and Rashi's explanation is not valid, there was no practical need to cite this halachah for nowadays.



DAILY MASHAL

Iron Chains

The *Gemora* cites Shmuel's statement that the connection between two boats for carrying can be of any material, and contrasts it with his statement that for the purposes of transferring impurity, it must be connected by an iron chain. The *Gemora* explains that only for impurity must it be metal.

Rashi explains that the process of transferring impurity is using the fact that a utensil in contact with corpse impurity is impure at the same level as what it touches. This is only true for metal utensils, and Shmuel therefore limited it to a metal chain.

Tosfos (101b kashra) challenges Rashi's explanation. Since the case of impurity is a function of a utensil transferring impurity, what connection does it have to a case of tying two things together? The case of impurity should be the same if the boat were tied to the impurity, or if a metal chain simply touched it and the impurity.

The Rashbam therefore says that the chain is functioning as a tent to spread the impurity under it to the boat. Just as we find with other items, the chain can only act as a tent if it is stationary, and doesn't move easily. As an example, Shmuel cited an iron chain, which is not mobile.

The Rashbam emends the text of the *Gemora* to remove the reference to the rule of a utensil becoming impure like the impurity it touched.

The Moshe of Each Generation

In the course of the *Gemora*'s discussion, R' Safra refers to Rava as "Moshe." Rashi explains that R' Safra meant it as a term of utmost respect for Rava's preeminent position as the Gadol HaDor. Rava in his generation was like Moshe Rabbeinu in his. So too, in every generation, the Gedolei HaDor take the position of Moshe.

The Zohar states that the influence of Moshe is felt in every generation, in every leader of Israel (Meor VaShemesh, parshas Devarim).