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Mishna

If one carries out a bone, the standard is as much as is required for making a spoon. Rabbi Yehudah said: for making a lock from it. Glass - large enough for scraping the top of a weaver's pick with it; a pebble or a stone - large enough to throw at a bird. Rabbi Elozar ben Yaakov said: large enough to throw at an animal (*for he would not bother chasing away a bird by throwing something at it; he can merely yell at it and accomplish the same thing*). (81a)

Locks and Spoons

The *Gemora* asks: Shall we say that Rabbi Yehudah's standard (*of a lock*) is larger (*than that of a spoon*); but we know the standard of the Rabbis to be (*generally*) larger?

Ulla said: Rabbi Yehudah meant the teeth of a lock (*which is smaller than a spoon*).

The *Gemora* cites a *braisa*: The teeth of a lock (*which have not yet been installed into the lock*) are *tahor* (*i.e., they are not susceptible to tumah, for they have no use in their present state*), but when one inserted them into the lock, they are (*susceptible to become*) *tamei*. But if it (*the lock*) is of a gate, even when it is fixed on the door and nailed on with nails, they (*the teeth*) are *tahor*, because whatever is attached to the ground is as

the ground (*which cannot become tamei*). (81a)

Glass and Stones

The *Mishna* had stated: Glass - large enough for scraping the top of a weaver's pick with it.

The *Gemora* cites a *braisa*: Glass - large enough to cut two (*of the warp*) threads (*off the loom*) simultaneously.

The *Mishna* had stated: A pebble or a stone - large enough to throw at a bird. Rabbi Elozar [*ben Yaakov said: large enough to throw at an animal*].

Rabbi Yaakov said in the name of Rabbi Yochanan: Providing that it can feel it (*i.e., it will react when struck by it*). And what size is that? It was taught in a *braisa*: Rabbi Elozar ben Yaakov said: Ten zuz in weight. (81a)

Stones for Cleaning

The *Gemora* relates: Zonin entered the study hall and said to them (*the scholars*): My masters, what is the standard of the stones of a bathroom (*used for wiping themselves, for they didn't have paper then*)? They said to him: The first one - the size of an olive, the second - the size of a nut, and the third - the size of an egg. [*The Sages felt that using three sizes - each one*

progressively larger than the preceding one, is the proper method of wiping oneself.] He retorted: Shall one take a balance scale in with him (to the bathroom)? They voted (after discussing the matter) and decided: A handful (regardless of the size).

The *Gemora* cites a *braisa*: Rabbi Yosi said: The first one - the size of an olive, the second - the size of a nut, and the third - the size of an egg. Rabbi Shimon ben Yosi said on his father's authority: A handful.

The *Gemora* cites a *braisa*: One may carry three sharp-sided stones into a privy. [*This refers to a courtyard, where carrying is permitted, or in a public domain, when it is not carried four amos. Generally, stones are muktzeh on Shabbos and may not be handled; to be used for wiping oneself, however, the Rabbis permitted – on account of human dignity.*] And what is their size? Rabbi Meir said: As large as a nut. Rabbi Yehudah said: As large as an egg.

Rafram bar Pappa said in the name of Rav Chisda: Just as they differ here, so do they differ in respect to (the size of) an *esrog*. [*R' Meir holds that its minimum size must be that of a nut, while R' Yehudah holds that it must be at least as large as an egg.*]

The *Gemora* asks: But there it is a *Mishna* (which clearly states this argument), whereas here it is (merely) a *braisa* (and since the *Mishna* is better known, he surely should have taken that as the point of comparison)?

The *Gemora* reverses his statement: Just as they differ in respect of an *esrog*, so do they differ here.

Rav Yehudah said: But not a *payis*.

Rabbi Zeira explains: *Payis* is Babylonian pebbles. [*Since*

they are moist and brittle, they will crumble, and are therefore unsuited for wiping; hence, they may not be handled on Shabbos.]

Rava said: One may not use a pebble on *Shabbos* (as a way of manipulating the rectal opening in order to help him defecate) in the same way as one uses it on weekdays.

Mar Zutra asked: Shall one then endanger (his health through delaying defecation)?

The *Gemora* answers: It may be done in a back-handed (unusual) manner.

Rabbi Yannai said: If there is a fixed place for the privy (in the fields), one may carry in a handful (of stones; for those that are left over in the evening will be used in the morning), but if not (i.e., there is no fixed place), then only (the size of a nut, which is) a compromise (between the sizes mentioned above) is permitted. The (stone of a) small spice mortar (which is usually *muktzeh*), Rav Sheishes said, if there is testimony upon it (that it was used for cleansing beforehand), it is permitted.

The *Gemora* asks from a *braisa*: Ten things bring on hemorrhoids: One who eats the leaves of reeds, or the leaves of grapevines, or the sprouts of grapevines, or the ridged parts of the meat of an animal (such as the tongue), or the backbone of a fish, or salted fish not sufficiently cooked, or one who drinks wine lees, or one who wipes himself with lime, potters' clay or pebbles which have been used by another. Some add: one who suspends himself unduly in a privy!

The *Gemora* answers: There is no difficulty, as this *braisa* refers to a damp stone, and the other to a dry one. Alternatively, here (Rav Sheishes), the reference is to one side (of the stone, and therefore, the other side can



be used); there, to both sides. Another alternative: here, it refers to his own (*previously used stone*); the other, to his fellow's.

Abaye asked Rav Yosef: What if rain fell on it and it (*the traces*) was washed away? [*Is it still permitted as a "wiping" stone?*]

He replied: If the mark is still perceptible, it is permitted.

Rabbah son of Rav Shila inquired of Rav Chisda: Is it permissible to carry them (*the stones*) with him up to the roof (*for perhaps, it is regarded as extra exertion, and is therefore forbidden*)?

Rav Chisda replied: The human dignity of a man is so great that it overrides a negative precept of the Torah. [*If an elderly man saw a lost object that was not honorable for him to carry, he is not obligated to find its owner, even though, this would normally be forbidden.*]

Now, Mereimar sat and reported this discussion, when Ravina asked Mereimar from the following *braisa*: Rabbi Eliezer said: One may take a chip which was lying before him (*and not prepared from beforehand; thus, it is muktzeh*) to pick his teeth with (*to remove meat which is stuck there*), but the Sages say: He may only take from an animal's trough (*which is prepared from beforehand*). [*Otherwise, it is muktzeh, and human dignity - the necessity to clean one's teeth, does not negate this prohibition!?*]

The *Gemora* answers: How can the cases be compared? There, one designates a place for his meal (*from beforehand, and therefore, he could have prepared his toothpicks as well; hence, the prohibition retains its force*), but here, does one designate a place for a privy? [*He does not know beforehand! This is why handling the stones would be permitted.*]

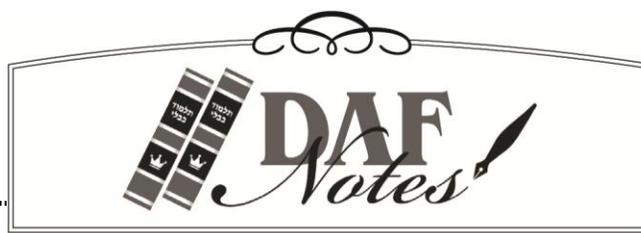
Rav Huna said: One may not relieve himself on a plowed field on *Shabbos*.

The *Gemora* asks: What is the reason for this? Shall we say that it is because of treading down (*on his fellow's field – thus ruining the ability to plant*); then the same should hold true even on the weekdays? And, if it is on account of the grass (*which sprout on the stones, and in picking up such a clod for cleansing, one may involuntarily detach the grass from the stone*), surely Rish Lakish said: One may cleanse himself with a stone where grass has sprouted on (*for he does not intend to detach it, and the halachah follows R' Shimon that when an action is done without intention for the prohibited labor, it is permitted*), but if one detaches (*the grass from these stones*) on *Shabbos* (*with intention*), he is liable to a *chatas*!?

Rather, the reason is lest he take a stone from an upper level (*the ridge above the furrows*) and throw it below (*into a hole*), and he is then liable on account of Rabbah's teaching, for Rabbah said: If one has a hole and fills it up, — if it occurred in the house, he is liable on account of building; if it is in the field, he is liable on account of plowing.

The *Gemora* reverts to the text above: Rish Lakish said: One may cleanse himself with a stone where grass has sprouted on (*for he does not intend to detach it, and the halachah follows R' Shimon that when an action is done without intention for the prohibited labor, it is permitted*), but if one detaches (*the grass from these stones*) on *Shabbos* (*with intention*), he is liable to a *chatas*.

Rav Pappi said: From Rish Lakish you may infer that one may handle a *parpisa* (*on Shabbos, and it is not regarded as detaching*). [*Parpisa is a perforated*



flowerpot. Though the earth in it might be regarded as attached to the ground in virtue of the perforation which allows the moisture to come from the ground; Rav Pappi teaches that it is nevertheless permitted. Some explain the reason that it is permitted is because even when the pot has been removed from the ground, it still receives nourishment from the ground.]

Rav Kahana asked: If they said (*that it is permitted*) in a case of need (*for cleansing oneself*), shall they say the same where there is no need?

Abaye said: As for *parpisa*, since it has come into our hands, we will state something about it: If it is lying on the ground and one places it upon pegs, he is liable (*on a Rabbinical level*) on account of detaching; if it is lying on pegs and one places it on the ground, he is liable on account of planting (*for he has increased its ability to draw nourishment from the ground*).

Rabbi Yochanan said: One must not cleanse oneself with a shard (*of pottery*) on *Shabbos*.

The *Gemora* explains: What is the reason? It cannot be on account of danger, for then on the weekdays as well (*it should be forbidden*). And if it is on account of witchcraft (*as will be explained*), it may not be done even on the weekdays as well. And if it is on account of the cutting out of hair (*by the opening of the rectal*); but surely that is unintentional (*and should be permitted*)?

Rabbi Nassan bar Oshaya said to them: Since a great man has stated this teaching, let us give the reason for it. [*Rabbi Yochanan meant as follows*:] It is unnecessary to state that it is forbidden on weekdays (*since one can just as easily find other stones, to which no suspicion of danger or witchcraft attaches*), but on *Shabbos*, since it bears the status of a utensil, I might think that it is

permitted (*and even more preferable to use, for it would not be muktzeh*); therefore he informs us that this is not so.

Rava taught it (*R' Yochanan's teaching*) on account of the cutting out of hair, and found Rabbi Yochanan to be self-contradictory, as follows: How did Rabbi Yochanan say that one must not cleanse himself with a shard on *Shabbos*, which indicates that what is unintentional is forbidden; Surely Rabbi Yochanan said: The *halachah* is according to the view of an anonymous *Mishna*, and we learned: [*A nazir is prohibited from removing hairs from his head.*] A *nazir* is allowed to rub his hair (*with niter and sand*), and a *nazir* can separate the hairs of his head with his hand, but not with a comb. [*When he combs his hair he will certainly remove hair, but he is allowed to rub it and separate it by hand because he is not internationally removing hair.*]

Rather, the *Gemora* concludes, it is clear that it (*the correct explanation of R' Yochanan's teaching*) is as Rabbi Nassan bar Oshaya.

The *Gemora* asks: What is (*the reference to*) witchcraft?

It is like that which happened with Rav Chisda and Rabbah son of Rav Huna, for they were traveling in a boat, when a certain noblewoman said to them, "Take me with you," but they did not take her. Thereupon she uttered something (*of witchcraft*) and bound the boat (*not allowing it to move*). They uttered something, and released it. She said to them, "What shall I do to you, seeing that you do not cleanse yourselves with shards, nor kill louse while on your garments, and you do not pull out and eat a vegetable from a bunch which the gardener has tied together?" (81a – 82a)

INSIGHTS TO THE DAF

Potted Plants

By: Meoros HaDaf HaYomi

Here, and in several other places in Shas, our Sages examine the halachic status of an *atzitz nakuv* - a potted plant with holes in its pot. When such a pot rests on an earth floor, it draws nutrients from the earth through the holes in its pot. It is therefore considered attached to the ground in all aspects. The agricultural laws that apply to plants rooted in the earth's soil, such as *terumos* and *maasros* (tithes) fully apply in this case.

In Meseches Gittin, the *Gemora* discusses the case of an *atzitz nakuv* that is suspended in air above the earth. Does it continue to draw nutrients from the earth through the air? This question has practical relevance regarding the mitzvah of separating *terumos* and *maasros* from produce. If an elevated plant still draws its nurture from the ground, then it is obligated in *terumos* and *maasros* medeoraisah, like any other plant that grows in the earth. However, if it ceases to draw nurture from the ground, than it is like a plant in a sealed pot, which is only obligated in *terumos* and *maasros* mederabanan.

In regard to hilchos Shabbos, our sugya states that if someone found an *atzitz nakuv* on the ground and lifted it up into the air, he is *chayav*. (The term "*chayav*" means liable. It most often denotes a Torah prohibition, for which one is liable to bring a sacrifice if the violation was accidental, or suffer the death penalty if it was intentional). By lifting it up, he "plucks" it from the ground, a violation of *meleches toleish* (harvesting). This being the case, our sugya

seems to resolve the issue that an *atzitz nakuv*, once lifted up, is no longer considered attached to the ground. Consequently it is exempt from *terumos* and *maasros* medeoraisah.

Tosafos, however, rejects this conclusion. Although *chayav* usually does refer to Torah prohibition, in this case one is only *chayav* mederabanan. According to Torah law, a plant elevated above the ground may still be considered attached. Nevertheless, our Sages forbid lifting it up, since this resembles harvesting.

This answer is sufficient to resolve our *Gemora*. However, when we compare two contradictory halachos in the Rambam, we find Tosafos' answer frustratingly insufficient. On the one hand, the Rambam rules that one who lifts an *atzitz nakuv* off the ground on Shabbos is *chayav*. The Rambam clearly states in his introduction to hilchos Shabbos, that whenever he uses the term *chayav* he refers to a Torah prohibition. Clearly, once a pot is lifted off the ground, its connection is severed. On the other hand, he rules that an *atzitz nakuv* suspended above the ground is obligated in *terumos* and *maasros* medeoraisah. This clearly implies that it is still connected to the earth. How can we resolve this contradiction? Is a hanging plant connected to the earth, or is it not?

Nurtured but not attached: R' Chaim HaLevi of Brisk (*zt"l*) addressed this question and offered the following distinction between these two halachos. When a plant grows from the ground, it is physically attached to the ground, and it also draws its nutrients from the ground. In order for a plant to be obligated in *terumos* and *maasros* medeoraisah, it must draw its nutrients from the ground. However, it need not be physically attached to the ground. Even if it draws its nutrients through the air, it is still nourished from the ground, and it is therefore obligated in *terumos* and *maasros*.



For this reason, the Rambam ruled that an *atzitz nakuv* suspended in the air is obligated in *terumos* and *maasros*.

However, in regard to *meleches toleish*, harvesting is when one disconnects a plant from its physical connection to the ground, even though it continues to draw nourishment from there. Therefore the Rambam ruled that lifting a potted plant off the ground is *toleish*, since the physical connection is severed.

DAILY MASHAL

Kaporos with a potted plant

The minhag to swing “kaporos” before Yom Kippur is an ancient and accepted custom among most of the communities of Klal Yisroel. Although the Shulchan Aruch opposed this custom, the Rema encouraged it, writing: “Some Gaonim and many Acharonim cited this custom. It is practiced in all countries, and it should not be abandoned, since it is the custom of the pious.”

The earliest known source for this minhag is from Rashi in our sugya. The *Gemora* discusses a potted plant called *parpisa*. To define this term, Rashi writes that he found in the Teshuvos of the Gaonim that the custom in the time of the Talmud was to make wicker baskets and fill them with earth and fertilizer, one basket for each member of the household. The baskets were called *parpisa*. Twenty-two or fifteen days before Rosh Hashanah, grains or legumes were planted in the baskets, and by the time Rosh Hashanah arrived, they had already sprouted. The day before Rosh Hashanah, each person would take his basket, and circle it around his head, reciting, “This is in place of that. This is my exchange, this is my substitute,” and then throw the basket in the river.

What was the significance of this custom? The Chasam Sofer explains that the seeds sewn in the *parpisa* baskets corresponded to a person’s children. They prayed that if a Heavenly decree had been passed against their seed, may fall it upon the *parpisa* seeds, and not upon their children. This concern was especially prevalent in the time of the *Gemora*, when an epidemic of *ascara*, a fatal breathing disorder, claimed the lives of many children. They cast the *parpisa* plants into the river, since when Beis Din is unable to carry out the punishment of death by strangulation, Hashem brings about the guilty party’s death by drowning or *ascara*. They thus prayed that the “drowning” of the plant, take the place of the *ascara* that might afflict their children, G-d forbid.