



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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**Tzvi Gershon Ben Yoel (Harvey Felsen) o"n**

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## ***Four and Eight***

The *Gemora* notes: It is obvious that if one intended to throw (*an object*) eight (*amos*) but throws it four, it is as though he wrote *Shem* from Shimon. [*Although he intended to write a name with many letters, he is liable once he wrote two letters. So too here, he would be liable even if went only four amos.*] But what if one intended to throw (*an object*) four (*amos*) but throws it eight, do we say that surely he has carried it out (*four amos from where it initially was, and he should be liable*), or perhaps it has surely not landed in the place where he desired (*and he should be exempt*)?

The *Gemora* answers: But cannot this be derived from that which Ravina observed to Rav Ashi (*that one cannot be liable unless his initial intent was fulfilled*), and he answered him that it refers to a case where he said, "Wherever it pleases, let it come to rest." [*Accordingly, in both of the cases cited above, he would not be liable, for his intention was not fulfilled.*] And regarding that which you said that it should be the same as writing *Shem* from Shimon; how can the cases be compared? There, without writing *Shem*, Shimon cannot be written (*and therefore, it must have been included in his initial intent*); but here, without throwing an object four, can he not throw it eight? [*He certainly can! Therefore, he will not be liable for throwing it four, for that was not included in his initial intent.*]

The *Gemora* cites a *braisa*: If one throws (*an object*) from a public domain to another public domain, and a private domain lies between them: if it traverses four *amos* (*over public domain, e.g., two amos in the first public domain and two amos in the second*), he is liable. If, however, it was less than four *amos*, he is not liable.

The *Gemora* explains that the *Tanna* is informing us that (*similar*) domains combine, and we do not say that an object contained (*in a certain domain*) is regarded as though it rested there (*for if we would say that, he would be liable even if it travelled less than four amos, for it was transferred from a public domain into a private one*). (97b – 98a)

## ***A Roofed Public Domain and the Wagons in the Wilderness***

Rav Shmuel bar Yehudah say in the name of Rabbi Abba in the name of Rav Huna in the name of Rav that if one transports an object four *amos* in a roofed public domain, he is not liable, because it is not like the encampment of the (*Jews in the*) Wilderness? [*A public domain that is covered by a roof is not regarded as a public domain.*]

The *Gemora* asks: But is that so? Why, the wagons (*used in the Wilderness to transport the Tabernacle*) surely were covered, and yet Rav said in the name of Rabbi Chiya: As for the wagons, beneath them, between them, and at their sides it was public domain? [*The width of the wagons was five amos, and five amos' space was allowed*]



between them in the width, while the boards were ten amos in length. Therefore, when placed crosswise on top of the wagons, they projected two and a half amos on both sides. It emerges that the space between them was completely covered over, and yet he states that it was public domain.]

The Gemora answers: Rav referred to the gaps between the boards. [The boards were not arranged one next to the other, and therefore, there were gaps between the rows of boards. The public domain was under those gaps, not under the boards.]

The Gemora asks: Let us consider the following: what was the length of the wagons? Five amos. What was the width of each board? An amah and a half. Then how many (rows) could be placed (on the length of the wagon)? Three (for the width of the boards were placed along the length of the wagons). It emerges that half an amah would be left over (empty), and when you divide it among them (the spaces) they are regarded as joined together! [This is because each one of the two spaces between the boards was one quarter of an amah – one and a half tefachim; accordingly, the principle of lavud will apply, and it would be regarded as if it was completely closed. This would prove that underneath a roof can be considered a public domain.]

The Gemora answers: Do you think that the boards lay on their wide side (on the side that was one and a half amos)? They were laid on their narrow side (which was only one amah). [This would leave a space of one amah between each row of boards; an amah, being six tefachim, would be too large of a gap for the application of the principle of lavud.]

The Gemora asks: Yet even so, what was the thickness of the board? One amah. How many (rows) were (then) stacked (on the wagon)? Four. It emerges that an amah would be left over (empty), and when you divide it among them (the spaces) they are regarded as joined together!

[This is because each one of the three spaces between the boards was one third of an amah – two tefachim; accordingly, the principle of lavud will apply, and it would be regarded as if it was completely closed. This would prove that underneath a roof can be considered a public domain.]

The Gemora qualifies its question: According to the view that the boards were one amah thick at the bottom, but tapered (gradually) to a width of a finger (at their tips), it is well (for then the gaps would be larger than three tefachim), but according to the view that just as they were an amah thick at the bottom, so too at the top they were an amah thick, what can be said?

Rav Kahana said: They were arranged in a clip formation. [The four rows were not evenly spaced along the wagon, but rather, they were placed in two rows at the front and at the rear of the wagon respectively, this leaving an amah between them. This was necessary because each row contained three boards, which would give a height of four and a half amos, and as the thickness was only one amah, they might otherwise topple over.]

The Gemora asks: Now, where was this clip formation placed? It was placed on the top of the wagon. But the wagon itself was covered? [It is assumed that the floor of the wagon was completely closed, like the floor of a sand-carrying wagon. If so, how did Rav state that the space underneath the wagon as well was regarded as a public domain?]

Shmuel said: The bottom consisted of pegs (and therefore, there were large areas of the wagon that was not roofed). (98a – 98b)

## **Boards of the Tabernacle**

The Gemora cites a braisa: The boards were one amah thick at the bottom, but tapered (gradually) to a width of a finger (at their tips), for it is written: *they shall be tamim*



at its top, and elsewhere it is written: *they (the waters of the Jordan split by Yehoshua) came to an end (tamu), and were cut off*; these are the words of Rabbi Yehudah. [This proves that the word "tam" means "end" or "point," proving that the boards were pointed at their end.] Rabbi Nechemiah said: Just as their thickness at the bottom was an *amah*, so too at the top was their thickness an *amah*, for it is written: *together*.

The *Gemora* asks: But surely 'tamim' is written as well?

The *Gemora* answers: That teaches us that they were to come whole (*the timbers*), and not fragmented.

The *Gemora* asks: And the other one as well, surely it is written 'together'?

The *Gemora* answers: That teaches us that they were not to erect them irregularly (*but rather, they should all be perfectly aligned*).

The *Gemora* asks: Now, according to the view that just as they were an *amah* thick at the bottom, so too at the top they were an *amah* thick, it is well, for that is why it is written: *And for the western end of the Tabernacle you shall make six boards, and two boards shall you make for the corners of the Tabernacle*. For the width of these (*two boards at the corner*) comes and fills in the thickness of those. [Since the inner dimensions of the Tabernacle was ten *amos* in width, and these six boards accounted for only nine ( $6 \times 1.5 = 9$ ), the additional two boards (a half-*amah* of each), one at each side made up the deficiency, while the extra *amah* left in each fitted exactly over the thickness of the board ranged along the length of the Tabernacle.] But according to the view that they were an *amah* thick at the bottom, tapered (*gradually*) to a width of a finger (*at their tips*), one would go in and the other would go out?

The *Gemora* answers: They were planed like mountains. [These two boards were sloped on their outer sides like

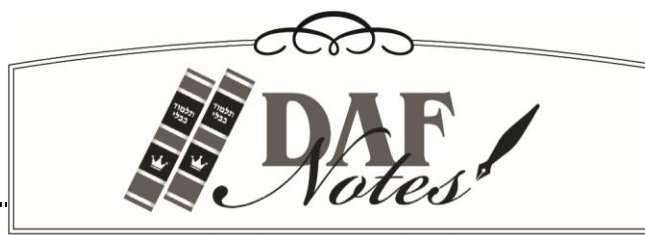
*mountains, so they would line up perfectly with the boards on the northern and southern walls.*]

It is written: *And the middle bar inside the boards [shall pass through from end to end]*. It was taught in a *braisa*: It lay there by a miracle. [It was one long straight bar which was inserted along the three walls; the necessary bending between the angles of the walls was miraculously done by itself.]

It is written: *And you shall make the Tabernacle with ten curtains. The length of each curtain shall be twenty-eight amos*. Place their length (*the lowermost covering*) over the width of the Tabernacle; how much was it? Twenty-eight *amos*. Subtract ten for the roof, and this leaves nine *amos* on each side (*the northern and southern walls*). According to Rabbi Yehudah (*who maintains that the thickness of the boards on the top were that of a finger*), only the *amah* of the sockets was left uncovered (*for the boards were ten amos tall; their bottom amah was inserted into a one-amah silver socket*). According to Rabbi Nechemiah, however (*who holds that the boards were an amah thick at the top as well*), an *amah* of the boards (*the one on top of the sockets*) was uncovered as well (*for the curtains covered the amah thickness at the top; consequently, only eight amos of the boards were covered*).

The *Gemora* continues: Place their width over the length of the Tabernacle; how much was it? Forty *amos*. Subtract thirty for the roof, and this leaves ten *amos* (*which were draped over the western wall*). According to Rabbi Yehudah (*who maintains that the thickness of the boards on the top were that of a finger*), the *amah* of the sockets was covered. According to Rabbi Nechemiah, however (*who holds that the boards were an amah thick at the top as well*), the *amah* of the sockets was uncovered.

It is written (*regarding the next layer of the Tabernacle's covering*): *And you shall make curtains of goat hair for a*



tent over the Tabernacle [eleven panels shall you make them]. The length of each curtain shall be thirty amos. Place their length over the width of the Tabernacle; how much was it? Thirty. Subtract ten for the roof, which leaves ten (amos) on each side. According to Rabbi Yehudah (who maintains that the thickness of the boards on the top were that of a finger), the amah of the sockets was covered. According to Rabbi Nechemiah, however (who holds that the boards were an amah thick at the top as well), the amah of the sockets was uncovered.

The Gemora notes that a braisa was taught likewise: And the amah on one side, and the amah of the other side of that which remained [...to cover "it"]. This was to cover the amah of the sockets (that were left exposed by the first curtain); these are the words of Rabbi Yehudah. Rabbi Nechemiah said: It was to cover the amah of the boards (that were left exposed by the first covering).

The Gemora continues: Place their width over the length of the Tabernacle; how much was it? Forty-four amos. Subtract thirty for the roof, and this leaves fourteen. Subtract two for the folding over (on the eastern side), as it is written: and you shall fold over the sixth panel (each panel being four amos wide) over the face of the Tent; this leaves twelve. Now, according to Rabbi Yehudah, it is well; that explains that which is written: the half curtain that remains shall drape [over the back of the Tabernacle] (for according to him, there was no thickness on the top, and a full-two amos was available to drape on the ground at the western wall), but according to Rabbi Nechemiah, what is meant by (the half panel) shall drape? [It was not half of the panel, for one amah was used for the thickness of the wall; there should have been only one amah remaining to drape on the ground!]

The Gemora answers: The meaning of the verse is that it shall drape beyond its companions (with one amah covering the sockets and one amah draping on the ground).

The school of Rabbi Yishmael taught: What did the Tabernacle resemble? It is to a woman who goes in the street and her train trail after her. (98b)

## INSIGHTS TO THE DAF

### *Ha'avara - Carrying an Object in the Reshus HaRabim*

By: Meoros HaDaf HaYomi

In our current chapter, "HaZoreik" the Gemara discusses two manners of violating meleches hotza'ah [carrying]: a. transferring an object from the reshus harabim to the reshus hayachid, or vice versa. b. carrying an object four amos in the reshus harabim, which is known as ha'avara. In both cases, the melacha requires akira – removing the object from the place where it had rested, and hanacha – returning the object to a state of rest.

In the first case, it is quite obvious that the akira must take place in the first reshus, and hanacha in the second. This is the actual definition of the melacha - transferring an object from one reshus to another. However, in the case of ha'avara, this is not so clear. The Meiri (Succa 43a) writes that if an object is picked up in the reshus hayachid, carried four amos in the reshus harabim, and then returned to the reshus hayachid where it is brought to rest, this constitutes a violation of ha'avara. In such a scenario, akira and hanacha have been performed, although not in the same reshus as the ha'avara.

R' Menachem Zemba zt"l (Totza'os Chaim, 3) cites our sugya as a proof against the Meiri's assertion. In order to explain this fundamental debate, we must first highlight the principles that underlie our sugya. Firstly, the Gemara assumes that hotza'ah - transferring an object from one reshus to the other, and ha'avara - carrying four amos in the reshus harabim, both fall under the same av melacha.

Secondly, a general rule in hilchos Shabbos is that a person can at times violate more than one melacha with the same action. For example, if a person cuts a branch off a tree for

the purpose of pruning, and also for use as firewood, he violates both the melacha of *zomeir* [pruning] and *kotzeir* [harvesting] with a single act. He is therefore obligated to bring two korbanos in atonement. What if both melachos fall under the same category, such as an av melacha and its tolda, or two forms of the same av? Is a person liable to bring two korbanos for violating an av and its tolda in one action?

The Gemara suggests that one is indeed liable for an av and a tolda together. Thus, if a person throws an object from the reshus hayachid, and it travels four amos in the reshus harabim before it comes to rest, R' Yehuda rules that he is liable two korbanos; one for *hotza'a*, and one for *ha'avara*. The Chachomim argue, and maintain that he is only liable for one korban.

Rashi explains that they argue over the principle of, *kluta k'mi she'huncha*. According to R' Yehuda, when an object is thrown through the airspace of the reshus harabim, it is considered as if it had come to rest there, in midair. Thus, as soon as the thrown object left the reshus hayachid, it is considered as if it paused in the reshus harabim [although it still flies through the air], and once again begins its flight with a new *akira*, resulting in second melacha of *ha'avara*. The Chachomim do not agree with this principle, and therefore they rule that there is only the one act of *hotza'a* – throwing from a reshus hayachid to reshus harabim. Since the object did not pause in the reshus harabim and then resume its flight, there is no violation of *ha'avara*.

This last element is the argument that R' Menachem Zemba wields against the Meiri. According to the Meiri, there is no need for the *akira* to take place in the reshus harabim, in order to be liable for *ha'avara*. Therefore, even without the principle of *kluta k'mi she'huncha*, the Chachomim should agree that one is liable for throwing four amos in the reshus harabim.

To defend the Meiri's ruling, the Steipler Gaon (Kehillas Yaakov, 5) explains that *kluta k'mi she'huncha* was introduced for an entirely different purpose. Above, we stated that by pruning a branch from a tree, one

transgresses two melachos – *zomeir* and *kotzeir*. This is because two different results were achieved; *zomeir* – the tree was strengthened, and *kotzeir* – firewood was provided. However, a single act cannot be considered a violation of multiple melachos, if the two melachos achieves the same benefit. When an object is thrown from the reshus hayachid and travels four amos in the reshus harabim before it comes to rest, perhaps two melachos were transgressed, but they both achieve the same result. The object was transferred from its original location to its new location. As an unspoken assumption, the Gemara takes for granted that a single action with a single benefit cannot be liable for two korbanos.

For this reason, the Gemara introduces the concept of *kluta k'mi she'huncha*. Since the object is considered to have paused in mid-flight and then resumed its course, we can divide the *hotza'a* into two stages, and thus obligate it with two korbanos. The Chachomim, who deny this principle, therefore hold that one is not liable a separate korban for *ha'avara*.