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Shabbos Daf 126

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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

### ***Closing Up the Window***

The *Mishna* had stated: And the Sages maintain: In either case we may close it up (*the window*) with it (*a shutter*).

The *Gemora* asks: What does 'in either case' mean?

Rabbi Abba said in the name of Rav Kahana: Whether it is fastened (*to the building*) or not (*it may be used to close up the window*), providing that it was prepared (*for this purpose from before Shabbos*).

Rabbi Yirmiyah said to him: But let the master say (*in a more stringent manner*): Whether it is suspended (*in the air*) or not (*it may be used to close up the window*), providing that it is fastened (*to the building*) [*This is stricter, for R' Eliezer said that even when it is fastened to the building, if it is dragging on the ground, it is forbidden to close up the window with it, for it is regarded as building, and the Sages disagree and maintain that as long as it is fastened to the building, it is permitted even if it was dragging on the ground; whereas the way R' Abba explained it, the Sages permit it even if it is not fastened to the building from beforehand.*]; for Rabbah bar bar Chanah said in the name of Rabbi Yochanan: Just as there is a dispute (*amongst the Tannaim*) here (*regarding the closing up of the window*), so is there a dispute in respect of a dragging bolt (*i.e., a peg that is inserted into a hole in the threshold – used to lock the door, and it is fastened to the door, but one end of the rope drags on the floor*), for we learned in a *Mishna*: A door bolt that drags on the ground, one may lock a door in the Bais HaMikdash, but not anywhere outside the Bais HaMikdash. A bolt that is

not attached to the door and rests on the ground, one is forbidden to use the bolt to lock a door both in the Bais HaMikdash and outside of the Bais HaMikdash. [*A bolt that is attached to the door is already part of the building before the onset of Shabbos. Using it is permitted Biblically, but the Sages forbade its use on Shabbos because, when it rests on the ground, it resembles building (for it does not seem to be attached to the building). In the Bais HaMikdash, however, many Rabbinic decrees did not apply, and one can use the bolt in the Bais HaMikdash even if the bolt drags on the ground. A bolt that is not attached to the building is forbidden on a Biblical level, for wedging it into the threshold would be regarded as a genuine act of building.*] Rabbi Yehudah maintains that one can use the bolt that is resting on the floor (*even if it is not fastened to the building*) to lock a door in the Bais HaMikdash, and one can use a bolt that (*is attached but*) drags on the floor even outside the Bais HaMikdash. [*R' Yehudah holds that once it has been designated for a bolt, it is not regarded as an act of building on a Biblical level; the Rabbis, nevertheless, forbade its use as a lock, for it resembles an act of building.*] And a *braisa* explains it: The bolt that drags on the ground and one may use it to lock a door in the Bais HaMikdash but not outside the Bais HaMikdash is a bolt that is attached to the door and hangs from the door, but its end touches the ground. Rabbi Yehudah maintains that such a bolt is permitted to be used even outside the Bais HaMikdash. A bolt that is not attached to the door or suspended from the door, but just remains in a corner, is prohibited to be used on Shabbos outside the Bais HaMikdash. And Rabbi Yehoshua bar Abba said in the

name of Ulla: Who is the *Tanna* of 'a dragging bolt' (who holds that even if it is attached to the door, it may not be used outside of the *Bais HaMikdash*)? It is Rabbi Eliezer! [This is referring to R' Eliezer of our *Mishna* who maintains that even when it is fastened to the building, if it is dragging on the ground, it is forbidden to close up the window with it; the only way it is permitted is if it is fastened to the building and it is suspended in the air. R' Yehudah, however, will agree with the Sages. So, just as R' Yehudah permits the use of a bolt outside of the *Bais HaMikdash* only if it is fastened to the door, so too the Sages permit the closing up of the window only if it is fastened to the building. It emerges that all agree that it must be fastened to the building in order to be permitted.]

Rabbi Abba said to him: I hold with the following *Tanna*, for it was taught in a *braisa*: A homeowner, who prepares a rod to use in locking and unlocking a door on *Shabbos*, when the rod is attached to the wall and suspended in the doorway, he can use it to unlock and lock the door. If, however, the rod is not attached and suspended from the doorway, then he cannot use it to lock and unlock the door. Rabban Shimon ben Gamliel maintains that as long as the rod was prepared for locking and unlocking the door, one can use it even if it is not attached to the wall. [R' Abba holds that the *Tanna* of the *Mishna* holds like Rabban Shimon ben Gamliel that as long as it was designated from before *Shabbos* it is permitted to be used.]

Rav Yehudah bar Shilas said in the name of Rav Assi who said in the name of Rabbi Yochanan: The *halachah* is as Rabban Shimon ben Gamliel.

The *Gemora* asks: Now, did Rabbi Yochanan say this? Surely we learned in a *Mishna*: All lids of vessels which have a handle may be taken on *Shabbos*, and Rav Yehudah bar Shila said in the name of Rav Assi who said in the name of Rabbi Yochanan: Providing that they have the use of utensils (for then, they are not classified as

*muktzeh*; if, however, their only use is to cover a utensil, it is regarded as *muktzeh*)? [How then can R' Yochanan rule like Rabban Shimon ben Gamliel that as long as the rod was prepared for locking and unlocking the door, one can use it even if it is not attached to the wall?]

The *Gemora* notes that you cannot answer that here too it refers to a case where it (*the rod*) is used as a utensil (and therefore it is not *muktzeh*), for Rabban Shimon ben Gamliel does not require it to have the use of a utensil, as it was taught in a *braisa*: If one had branches of a date palm that were designated for firewood (which are *muktzeh*) and he decided to use them for sitting, he is required to tie the bundles together before *Shabbos* to render them non-*muktzeh*. Rabbi Shimon ben Gamliel maintains that he does not need to tie them (for merely intending to sit on the branches is sufficient).

The *Gemora* answers: Rabbi Yochanan agrees with him in one aspect (that a rod may be used as a lock even though it was not fastened to the door), and disagrees with him in the other (that the rod must have a different use as a utensil, for otherwise it would be *muktzeh*).

Rabbi Yitzchak Nafcha lectured at the entrance of the *Reish Galusa* (house of the *Exilarch*): The *halachah* is as Rabbi Eliezer.

Rav Amram objected (from the following *Mishna*): [The *Mishna* stated: Rabbi Tzadok's father and Abba Shaul ben Bitnis were concerned about the spreading of *tumah* from a corpse via a window. They stopped up the window with an earthenware jug to prevent the spreading of *tumah*. They also tied a reed to a cup that was a *tefach* wide with a temporary knot, so they could measure a hole overhead and determine whether the gap was wide enough to prevent *tumah*.] We learn from their words that one may shutter a window on *Shabbos* even with something that was not attached to the edifice, one may measure for the sake of a *mitzvah*, and one may tie a temporary knot on *Shabbos*.

Abaye said to him: What is your view (to ask such a question; the answer can easily be that this Mishna is in accordance with the opinion of the Sages in our Mishna, while the halachah may still very be according to R' Eliezer)? Is it because it is taught anonymously (and therefore must be authoritative)? But the Mishna concerning a dragging bolt is also anonymous (and that is in accordance with R' Eliezer)?

The Gemora answers: Yet even so, an actual incident is weightier. [Although the Mishna teaches that a bolt that is attached to the door but drags on the ground may not be used as a lock outside the Bais HaMikdash follows the opinion of R' Eliezer, we follow the rule that maaseh rav, practice of Torah scholars carries more weight than a ruling that was issued in the course of study. When a scholar rules at the time of an incident, he weighs the matter carefully and decides conclusively.] (125b – 126b)

### **Mishna**

One may move on Shabbos any vessel-cover that has handles. Rabbi Yosi said that this was said regarding covers of pits or cisterns or manholes (because one who places a cover without handles in the ground is akin to building when he blocks the hole; one who removes the cover without handles from the ground appears to be demolishing; the handle on the cover indicates that the cover is used to be placed and to be removed). Rabbi Yosi says that vessel-covers can be moved on Shabbos whether they have handles or not. (126b)

### **Vessel Covers**

Rav Yehudah bar Shila said in the name of Rabbi Assi who said in the name of Rabbi Yochanan: A vessel-cover does not have the status of a utensil and will remain *muktzeh* unless it has another use besides covering a vessel. Therefore, the Sages and Rabbi Yosi agree that regarding covers of holes in the ground, they can be moved if they have handles, but if they do not have handles, they

cannot be moved (because it appears like he is building or demolishing). Concerning covers of utensils, they agree (that even if the covers do not have handles, they can be moved on Shabbos, as long as the covers can be used as utensils other than covering vessels). The disagreement is regarding utensil covers that are attached to the ground. The Sages maintain that there is a decree against them (that if they do not have handles, they cannot be moved, similar to covers of holes in the ground). Rabbi Yosi, however, maintains that there was no decree instituted (and utensil covers that are attached to the ground can be moved even if they do not have handles).

An alternative version of this is that the argument concerns a cover to an oven (which is a utensil that is attached to the ground). The Sages compare utensil covers attached to the ground to a cover of a hole in the ground, and Rabbi Yosi compares the utensil covers attached to the ground to regular utensil covers. (126b)

### **WE SHALL RETURN TO YOU, KOL HAKEILIM**

### **Mishna**

One can clear out four or five boxes of straw or grain on Shabbos because of guests or because of students who attend a Torah lecture. [One is forbidden to over-exert himself on Shabbos, and this is a Rabbinic decree. The Sages were lenient, however, with regard to a mitzvah. If one is expecting guests on Shabbos, one may clear out four or five boxes of straw or grain to accommodate the guest. Similarly, if space is required to seat students at a Torah lecture, one can clear out four or five boxes of straw or grain.] One may not clear out a store of straw or grain.

One can clear out on Shabbos *terumah* that is *tahor*, *demai*, *maaser rishon* whose *terumah* was taken, *maaser sheini* or *hekdesch* that was redeemed, and *turmos*, dried beans, because they are food for goats. [One can only clear out on Shabbos grain that is not *muktzeh*. *Terumah* that is *tahor*, *demai*, *maaser rishon* whose *terumah* was taken, *maaser sheini* or *hekdesch* that was redeemed, and



*turmos, dried beans, are not considered muktzeh. Terumah that is tahor can be fed to an animal. Similarly, dried beans are used to feed goats, so the beans are not muktzeh.] One, however, cannot clear out on Shabbos tevel, maaser rishon that did not have its terumah taken from it, maaser sheini or luf or mustard. [Tevel is grain that terumah and maaser have been not been taken from it. Tevel cannot be eaten nor can it be fed to animals, so one cannot clear it out on Shabbos, as it is muktzeh. Luf is a bean that is inedible when it is raw and cannot even be fed to animals. Since one cannot cook luf on Shabbos, it is muktzeh.]*

Rabban Shimon ben Gamliel maintains that *luf* can be cleared out, because *luf* is considered food for ravens, (and wealthy people raise ravens as a symbol of their wealthy status).

[Bundles can be cleared out on Shabbos if they were designated to feed animals.] Bundles of straw, twigs, and tender reeds can be moved on Shabbos if they have been designated to feed animals. If they have not been designated to feed animals, one cannot move them. [These bundles are normally used for kindling. So they are muktzeh unless one specifically designates them for animal feed.] (126b)

## DAILY MASHAL

### ***A Rebbe's Actions, a Student's Decision***

If one sees his Rebbe performing a specific action, can he assume that this is the correct *halachah* and this is how he himself should act?

The *Gemora* recorded that Rabbi Yitzchak Nafcha ruled like Rabbi Eliezer with regard to shuttering a window on Shabbos. Rabbi Eliezer maintains that it is not enough that the shutter is prepared before Shabbos, but the shutter must be attached to the building and the rope must be suspended. Only if these conditions are met do we say that it does not appear that one is adding on to the building and one would be permitted to shutter the

window. Rav Amram objected to this ruling, as we find that Rabbi Tzadok's father and Abba Shaul ben Bitnis were lenient with regard to shuttering the window and they did not require that these conditions be met. The *Gemora's* response was *maaseh rav*, practice is greater proof than an ordinary ruling. Since the *Mishna* cited by Rav Amram based its ruling on the actual practice of *Tanaaim*, it is more authoritative.

From the *Gemora* it appears that if one witnesses his Rebbe performing an action, this is proof of the correct *halachah*, and one can act leniently, even if the Rebbe did not render a verbal *halachic* decision, and there is room to say the Rebbe acted this way only in this specific situation.

The Rishonim ask from a *Gemora*<sup>1</sup> that implies that one can not learn a final ruling from one's Rebbe's actions unless the Rebbe informs him that this is a conclusive ruling.

From Rashi and the Rishonim on that *Gemora*<sup>2</sup> it is clear that while studying, one cannot render a *halachic* decision, even if the Rebbe offers an example, because there is room to say that the Rebbe was only using an example based on the current topic being studied.

If the student witnesses the Rebbe performing an action one time only, they should clarify if this is the *halachah*. If they determined that this is what should be done, then this is definitely the practical *halachah* and this is what occurred in our *Gemora*, where the students verified that one can be lenient regarding shuttering the window.

The Ritva, however, maintains that if a Rebbe performs a certain action and does not inform his students that this is a specific situation, then the students can determine that this is the *halachah* and they do not have to wonder further.

<sup>1</sup> Bava Basra 130b

<sup>2</sup> Ritva and Rashbam Ibid