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DAF Notes
Insights into the Daily Daf
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Shabbos Daf 8

Daf Notes is currently being dedicated to the neshamot of

Moshe Raphael ben Yehoshua (Morris Stadtmauer) o"h

Tzvi Gershon ben Yoel (Harvey Felsen) o"h

May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Abaye said: If one (*while standing in a private domain*) throws a basket (*similar to a beehive in shape*) into a public domain, if it is ten (*tefachim*) high but not six (*tefachim*) wide (*its diameter*), he is liable; if it is six (*tefachim*) wide, he is exempt. [*One is only liable for throwing an object from one domain to the next; there is no liability for throwing a domain – one that is ten tefachim high and four tefachim square. This is because all forbidden labors are derived from the work performed in the building of the Mishkan, and there, they threw needles from one to the other, but they never threw large objects, which would constitute a domain by itself. A circle with a diameter of six is the least (approximately) in which a square of four can be inscribed. Therefore, if the basket is less than six tefachim (or 5.6 tefachim, being even more precise), one will not be liable to bring a chatas.*]

Rava said: Even if it is not six wide, he is (*still*) exempt. What is the reason? It is impossible for a piece of the reeds not to project above ten. [*Since the basket is exactly ten tefachim high, it is impossible that the top of the vertical reeds shall be absolutely even and straight, and so something must project above ten from ground level, which is a place of non-liability, for it is no more a public domain. In order to incur liability, the entire object thrown must rest in the public domain. Abaye disagrees, for he considers those extra pieces to be insignificant.*]

If he overturns it on its mouth (*and throws it while it is upside down*), then if it is a bit more than seven (*tefachim in height*) he is liable; if it is seven and a half, he is exempt. [*Using the principle of 'lavud,' the walls of the basket are regarded as extending beyond its opening down to the ground itself - as soon as that opening comes within a bit less than three tefachim from the ground. Therefore, when this overturned basket, which is a bit more than seven tefachim in height (and certainly if it is less), enters within just under three tefachim from the ground and is regarded as already resting on the ground, the entire basket is within ten from the ground, and therefore he is liable. But if it is slightly taller than this, at the point when it enters within just under three tefachim from the ground, part of the basket is above ten; therefore, there is no liability.*]

Rav Ashi said: Even if it is seven and a half, he is liable. What is the reason? The walls are made for their interior.
[*The walls enable it to be used as a receptacle – to contain honey; they therefore cannot create an imaginary extension downwards when the basket is turned upside down.*]

Ulla said: If there is a pillar nine (*tefachim high*) in the public domain, and the public rest and rearrange their burdens on it, and one throws (*an object*) and it lands upon it, he is liable. What is the reason? It if is less than three (*tefachim high*), the public step upon it (*and it is part of the public domain*); from three to nine, they neither walk upon it nor arrange their burdens upon it (*therefore, it is a karmelis when it is four tefachim wide, or a place of exemption when it is less than four*); if it is nine *tefachim* high (*and, according to Rashi, exactly nine*), they certainly rearrange their burdens upon it (*and it is part of the public domain*).

Abaye inquired of Rav Yosef: What of a hole (*nine tefachim deep; does it also have the status of a public domain, for people use it as well*)?

He replied: The same is true regarding a hole.

Rava said: It is not the same regarding a hole. What is the reason? Usage through difficulty is not designated as usage.

Rav Adda bar Masnah asked on Rava from the following *braisa*: If one's box was lying in the public domain, ten (*tefachim*) high and four (*tefachim*) wide, one may not move an object from it

into the public domain or from the public domain into it; but if less (*the dimensions of the box are less that*), one may carry[1] (*from it into the public domain or from the public domain into it*); and the same applies to a hole.

Now, surely that refers to the second clause (*meaning that if a hole was less than ten tefachim – even if it was nine tefachim, it is classified as public domain; this contradicts Rava's opinion*)!?

The *Gemora* answers: No! It is only in reference to the first clause (*that if the hole is ten tefachim by four tefachim, it is regarded as a public domain*).

The *Gemora* asks on Rava from another *braisa*: [*On the Shabbos one may not go more than two thousand amos out of his place of residence. This, however, may be extended by placing some food (called an eruv) at any spot within the two thousand amos before Shabbos. One who makes an eruv is then permitted to walk 2,000 amos beyond there, because the location of his food is regarded as his residence. This food must be placed in a location where it is permissible to take it on the Shabbos. If, for example, he intended to establish his residence in a public domain, but he placed his eruv in a private domain, the eruv is not valid, for he cannot take the food from the private domain into his intended place of residence – the public domain.*] If one intends to take up his *Shabbos* residence in a public domain, and places his *eruv* in a pit above ten *tefachim*, it is a valid *eruv*; if he placed it below ten *tefachim*, it is not a valid *eruv*.

Now, what are the circumstances of the case? Shall we say that the pit has ten or more (*tefachim*) in depth (*e.g., the pit is eighteen tefachim deep*), and 'above' means that he raised (*the eruv ten tefachim above the ground*) and set it there (*in the first eight tefachim of the pit*), and 'below' means that he lowered (*the eruv*) and set it there (*within ten tefachim of the floor of the pit*); what is the difference between 'above' and 'below'? He is in one place (*in a public domain*) and his *eruv* is in another (f*or the entire pit – being more than ten tefachim deep – has the status of a private domain*)!? [*In either case, the eruv should not be valid, for he cannot take the food from inside the pit – a private domain, and bring it to his intended place of residence – in the public domain!?*]

Rather, it must surely refer to a pit which is not ten (*tefachim*) deep (*and the braisa means as follows: 'if it is above ten' – meaning that the pit is not ten tefachim deep, 'the eruv is valid'; 'if, however, it is below ten' – meaning that the pit is deeper than ten tefachim, the eruv is not valid, for the entire pit is a private domain, and the food cannot be brought to the public domain*), and it is taught in the *braisa*: (*if the pit is less than ten tefachim deep*) it is a valid *eruv*, which (*seeing that it can only be referring to a pit of nine tefachim deep*) proves that use with difficulty is regarded as use!? [*It cannot be less than nine tefachim deep, for then it would have the status of a karmelis, and the food could not be carried from there to the public domain.*]

Sometimes, Rava answered him: Both he and his *eruv* were in a *karmelis* (*his intended place of residence was a karmelis and the pit was less than ten tefachim deep – also a karmelis*), and why is it (*this intended place of residence*) called a public domain? It is because it is not a private domain.

And sometimes he answered him: He (*his intended residence*) was in a public domain, while his *eruv* was in a *karmelis* (*a pit less than ten tefachim deep*), and (*the reason why the eruv is nevertheless valid is because*) it is in agreement with Rebbe, who maintains that whatever is forbidden on *Shabbos* by Rabbinic decree was not forbidden at twilight (*bein hashemashos*). [*The eruv takes effect at the onset of Shabbos – at twilight. Since carrying from a karmelis to a public domain is only Rabbinically forbidden, the eruv – at twilight – is accessible, and therefore, the eruv is valid.*]

Rava continues: And do not think that I am merely putting you off, but I say it to you with exactitude (that the *braisa* must be interpreted in this manner), for we learned in a *Mishna*: If there is a small pool of water and a public road traverses it, if one throws (*an object*) four *amos* in it, he is liable (*for, in this case, the water is not a karmelis, but a public domain*). And what depth constitutes a pool (*that it is still regarded as a public domain*)? As long as it is less than ten *tefachim*. And if there is a small pool of water traversed by a public road, and one throws (*an object*) four *amos* in it he is liable.

Now, as for mentioning this 'small pool' twice, it is well, for one refers to summer and the other to winter (*and yet, it is always*

[1] Rashi asks: Granted that it is not a private domain, but it should be regarded as a *karmelis*; and it should be forbidden to carry between it and a public domain? He answers that the Rabbis did not wish to impose the restrictions pertaining to a *karmelis* on utensils.

regarded as a public domain), and both are necessary. For if we were informed this regarding the summer season, it might have been said that the reason it is so (*that the water is regarded as a public domain*) is because it is usual for people to cool themselves (*and the public would have no concern for walking in that pool, and getting wet*), but in the winter, I would say that it is not so. And if we were informed this regarding the winter season, it might have been said that the reason it is so (*that the water is regarded as a public domain*) is because since people are dirty (*from the mud anyway*), it may happen that they go down (*into the pool*), but in the summer, I would say that it is not so; therefore, both are necessary. But why mention 'traversing' twice? [*The Mishna could have simply said (in the second clause) that a pool of water in a public domain is regarded as a public domain; why did it need to state that the public road traverses it?*] It must surely be coming to teach that a passage under difficulties is (*nevertheless*) regarded as a (*public*) passage, whereas (*by implication*) usage under difficulties is not regarded as a (*public*) usage. This indeed proves it.

Rav Yehudah said: In the case of a bundle of reeds - if one repeatedly throws it down and stands it up (*without actually lifting it entirely from the ground at any moment, but he has accomplished that the bundle has been moved many amos in a public domain*), he is not liable unless he lifts it up (*completely off the ground, and while lifted, transports it four amos in a public domain*).

The master said: A man standing on a threshold (*of a house*) may take (*an object*) from a householder (*standing in a private domain*), or give one to him. He may also take (*an object*) from a poor man (*standing in a public domain*), or give one to him [*as long as he does not take from the householder and give to the poor man, or from the poor man and give it to the householder. If he does take and give, the three are exempt*].

The *Gemora* asks: What is this threshold? If you will say that it is a threshold of a public domain, then how can the *braisa* rule that he may take (*an object*) from a householder (*standing in a private domain*); surely he is thereby carrying from a private domain to a public one!? And, if you will say that it is a threshold of a private domain, how can the *braisa* rule that he may take (*an object*) from a poor man (*standing in a public domain*); surely he is thereby carrying from a public domain to a private one!? Rather, it must be referring to a threshold of a *karmelis*; but if so, how can the *braisa* rule that he may take or give (*from or to the poor man and the householder*), implying (*that he may do so*) even at the very outset? But after all, the (*Rabbinical*) prohibition (*of a karmelis*) does exist!?

Rather, it must be referring to a threshold which is merely a place of exemption, e.g., if it is not four (*tefachim*) by four (*tefachim*). [*One is permitted – even outrightly, to carry from a place of exemption into a public or private domain, and vice versa.*]

And this is similar to that which Rav Dimi, when he came (*to Bavel*), said in the name of Rabbi Yochanan: A place which is less than four *tefachim* by four *tefachim*, the residents both of (*the adjoining*) public and private domain may rearrange their burdens upon it, provided that they do not exchange (*from private to public or vice versa*).

The master said: [A man standing on a threshold (*of a house*) may take (*an object*) from a householder (*standing in a private domain*), or give one to him. He may also take (*an object*) from a poor man (*standing in a public domain*), or give one to him] as long as he does not take from the householder and give to the poor man, or from the poor man and give it to the householder. If he does take and give, the three are exempt.

The *Gemora* asks: Shall we say that this refutes Rava? For Rava said: If one carries an object a full four *amos* in the public domain, even if he carries it over himself (*an exempt area – higher than ten tefachim from the ground*), he is liable.

The *Gemora* answers: There, it did not come to rest (*in the place of non-liability*), whereas here, it did.