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Mav the studing of the Daf Notes be a zechus for their neshamot and mav their souls find peace in Gan Eden and be bound up in the Bond of life

Rabbi Yirmiyah replied (*in an attempt to explain the braisa*): A basket is different, since one may tilt it (*downward*), thus lowering it within ten *tefachim* from the ground. [*He may then take the eiruv without violating any Biblical prohibition. Since the eiruv is accessible to him at twilight, the eiruv is valid.*]

The *Gemora* relates: As Rav Pappa was sitting and saying over this teaching (*of R' Yirmiyah*), Rav bar Sheva asked Rav Pappa from the following *Mishna*: How is one (*who wishes to prepare an ervei techmin for a festival that occurred on a Friday; he desired that it should be effective for the Shabbos as well*) to proceed? [*The concern is that if the eiruv were deposited only on the festival eve, it might sometimes become lost during the day before the Shabbos commenced, and the man - though he is provided for during the festival at the commencement of which the eiruv was in existence, would remain unprovided for during the Shabbos day.*] He arranges (*for the eiruv*) to be brought (*by an agent¹ to the desired place*) on the first day (*Thursday afternoon*) and, having remained there with it until nightfall (*which is the time that the eiruv takes effect*), he takes it with him (*so it shouldn't get*

lost) and goes. [*This can only be done when the festival precedes the Shabbos; if, however, the Shabbos was first, he cannot do that, for the eiruv cannot be carried.*] On the second day (*Friday afternoon*), he again comes with it and keeps it there until nightfall, when he may eat it (*for the eiruv took effect already*) and go. [*He cannot again take it away with him, as he did on the evening of the festival, since carrying in a public domain is forbidden on the Shabbos.*] (33b)

Now, why [should this² at all be necessary]? Let us rather say:³ Since one could carry it if one wished, [the eiruv], though one had not actually carried it, is deemed to have been carried? — Rabbi Zeira replied: This is a preventive measure against the possibility of [not carrying it even when] a festival occurred on a Sunday.⁴

He pointed out to him [another] objection: If a man, intending to acquire his Shabbos abode in a public domain, deposited his eiruv in a wall⁵ lower than ten *tefachim* [from the ground], his eiruv is effective,⁶ [but if he deposited it]

¹ For if he himself would be there, that is automatically his place of residence, and there would be no necessity for an eiruv.

² The carrying of an eiruv to the place one wishes to acquire as his Shabbos abode.

³ As was done in the case of the basket, that, since one might incline it etc., it is the same as if one actually did it.

⁴ Lit., '(the day) after the Shabbos'. In such a case the eiruv, if it is to be effective for the festival, must be carried to the required spot on the Shabbos eve. It cannot be taken there on the Shabbos when the carrying of objects is forbidden. Consequently, had it not been instituted that an eiruv must always be carried to the required spot, one might erroneously have formed the opinion that even in the case postulated the

carrying of the eiruv to the required spot is unnecessary; and this would have had the result that the eiruv could be ineffective, since in this case carrying on the Shabbos being forbidden, the principle, 'Since it might be carried etc.' is obviously inapplicable.

⁵ That was more than four amos distant from the 'abode'. If it was within the four cubits the eiruv is valid in both the following cases as explained previously in the case of a tree.

⁶ Since it is possible to carry it from the wall to the 'abode' in small stages of less than four cubits. Such a mode of carrying is forbidden on the Shabbos proper by a Rabbinical measure only; and, as the twilight of the Shabbos eve is regarded as Shabbos proper also by a Rabbinical measure only and as one Rabbinical measure cannot be imposed upon another, the carrying in small



above [a height of] ten tefachim [from the ground]⁷ his eiruv is ineffective.⁸ If he intended to make his abode on the top of a dove-cote, or on the top of a closet, his eiruv is valid [if it lay at a height] above ten tefachim [from the ground;⁹ but if it lay at a level] below ten tefachim [from the ground] his eiruv is ineffective.¹⁰ But why?¹¹ Could it not be said here also [that the eiruv is effective] 'since one could incline [the dove-cote or the closet] and so lower it to a level of less than ten [tefachim from the ground]'?¹² — Rabbi Yirmiyah replied: Here we are dealing with a closet that was nailed [to the wall]. Rava replied: It may be said to refer even to a closet that was not nailed [to a wall], for we might be dealing with a high closet¹³ which, were one to incline it a little,¹⁴ it would project¹⁵ beyond [the original area of] four amos.¹⁶ But how is one to imagine [the circumstance]? If [the closet] had a window, and a cord [also was available, why shouldn't the eiruv] be taken up through the window by means of the cord?¹⁷ — This is a case where there was neither window nor cord. (34a)

stages has not been forbidden at twilight when the acquisition of the 'abode' takes place.

⁷ So that the eiruv rested in a private domain.

⁸ Since it is forbidden even at twilight to convey from a private domain into a public domain (where the man would be standing when taking down the eiruv from the wall).

⁹ Though the man could not carry the eiruv from its place to his abode, on account of the public domain which intervened between his private domain and that in which the eiruv lay he could well descend to the level where the eiruv was deposited and consume it there, since in respect of eiruv and 'abode' all space above ten tefachim from the ground is regarded as one and the same domain.

¹⁰ Since such a place has the status of a karmelis from which it is forbidden to carry the eiruv to the top of the cote or closet on account of the public domain that intervened between them. Should the man descend to the level of the eiruv to consume it there, he would be leaving the domain of his abode for another domain which is contrary to the requirement that the eiruv must be in a position from which it can be taken to the abode and eaten there.

¹¹ Should an eiruv below a level of ten tefachim be ineffective.

¹² By lowering it to that altitude the 'abode' would be situated in a public domain into which, as explained previously, that two Rabbinical measures are not imposed upon one another, it is permitted at twilight of the Shabbos eve to carry from a

If he deposited it in a cistern even if it is a hundred amos deep etc. Where was this cistern situated? If it be suggested that it was situated in a private domain, is [not this ruling, it may be objected,] obvious, seeing that a private domain rises up to the sky, and as it rises upwards so it descends downwards? If, on the other hand, it be suggested that it was situated in a public domain, where [it may again be objected] did the man intend to have his Shabbos abode? If above, he would be in one domain and his eiruv in another;¹⁸ and if below, [isn't the ruling again] obvious seeing that he and his eiruv are in the same place? - [This ruling was] required only in a case where [the cistern] was situated in a karmelis and the man intended to make his abode above;¹⁹ [and this ruling] represents the view of Rebbe who laid down: Any act that is forbidden by a Rabbinical measure²⁰ is not subject to that prohibition during twilight [on the Shabbos eve]. (34a – 34b)

MISHNAH: If it was put on the top of a reed or on the top of a pole, provided it had been uprooted and then inserted [in the ground, even though it was a hundred amos high, the eiruv is effective.²¹ (34b)

karmelis. This Baraisa obviously represents the view of Rebbe since its first clause recognizes the validity of an eiruv that was deposited in a wall below ten tefachim from the ground though in such circumstances the man's abode is in a public domain while his eiruv is in a karmelis.

¹³ One higher than four amos.

¹⁴ To lower its top to an altitude of less than ten tefachim.

¹⁵ On account of its size.

¹⁶ In which it was originally situated and which constituted the man's abode. An eiruv cannot be effective unless it can be consumed within four amos of the original position of the abode.

¹⁷ Pulling with a cord in such circumstances is only a Rabbinical prohibition which, as explained previously, does not apply to the twilight if Shabbos eve when the Shabbos abode is acquired. (This note follows Rashi's second, while the previous notes on the passage are based on Rashi's first explanation.)

¹⁸ In which case the eiruv should be ineffective, while according to our Mishnah it is effective.

¹⁹ Which assumes the permissibility of movement of objects between a karmelis and a private domain at twilight on the Shabbos eve.

²⁰ As is that of carrying the eiruv from the private domain into the karmelis.

²¹ If it rested on a platform of no less than four tefachim by four, that was attached to the top of the reed or the pole.' Such a platform, though it conforms to the size of a private domain,

GEMARA: Rav Adda bar Masna pointed out to Rava the following incongruity: [From our Mishnah it appears that] only if it had been uprooted and then inserted [in the ground is the eiruv effective, but if it was] not first uprooted and then inserted [in the ground the eiruv would] not [have been effective].²² Now whose [view is this? Obviously] that of the Rabbis who ruled: Any act that is forbidden by a Rabbinical measure is also forbidden at twilight [on the Shabbos eve]. But you also said that the first clause [represents the view of] Rebbe. [Would then] the first clause [represent the view of] Rebbe and the final clause [that of the] Rabbis? — The other replied: Rami bar Chama has already pointed out this incongruity to Rav Chisda who answered him that the first clause was indeed the view of Rebbe while the final one was that of the Rabbis. Ravina said: Both clauses represent the view of Rebbe but [the restriction in] the final clause is a preventive measure against the possibility of nipping [the frail reed].²³

An army once came to Nehardea and Rav Nachman told his disciples, 'Go out into the marsh and prepare an embankment [from the growing reeds] so that tomorrow we might go there and sit on them'. Rami bar Chama raised the following objection against Rav Nachman or, as others say: Rav Ukva bar Abba raised the objection against Rav Nachman: [Have we not learnt] that only if it had been uprooted and then inserted [in the ground is the eiruv effective, [from which it follows, if it was] not first uprooted and then inserted [in the ground the eiruv is] not [effective]?²⁴ — The other replied: There [it is a case] of hardened reeds.²⁵ And from where is it derived that we draw a distinction between hardened, and unhardened reeds? — From what was taught: Reeds, thorns and thistles belong to the species of trees and are not subject to the prohibition of kil'ayim in the vineyard; and another- [Baraisa] taught: Reeds, cassia and bulrushes

cannot be regarded as a private domain proper on account of the base on which it rests which is narrower than the prescribed size of four tefachim.

²² Obviously because the eiruv could not be removed from its place on account of the prohibition of making use of a growing plant.

²³ When removing the eiruv from it. The nipping of a piece of reed is Biblically forbidden and hence prohibited also at twilight.

are a species of herb and subject to the prohibition of kil'ayim in the vineyard. [Now are not the two Baraisos] contradictory to each other? It must consequently be inferred that the former deals with hardened reeds while the latter deals with such as are not hardened. This is conclusive. - But is cassia a species of herb? Have we not in fact learnt: Rue must not be grafted on white cassia because [this act would constitute the mingling of] a herb with a tree? — Rav Pappa replied: Cassia and white cassia are two different species. (34b)

MISHNAH: If it was put in a cupboard and the key was lost the eiruv is nevertheless effective. Rabbi Eliezer ruled: if it is not known that the key is in its proper place the eiruv is ineffective. (34b)

GEMARA: But why? Isn't this a case where he is in one place and his eiruv is in another? — Both Rav and Shmuel explained: We are dealing here with a cupboard of bricks and this ruling represents the view of Rabbi Meir who maintains that it is permitted at the outset to make a breach [in a structure] in order to take [something out of it]. For we learned: If a house that was filled with fruit was closed up but a breach accidentally appeared, it is permitted to take [the fruit out] through the breach; and Rabbi Meir ruled: It is permitted at the outset to make a breach in order to take [the fruit out]. But didn't Rav Nachman bar Abba state in the name of Shmuel [that the reference there is] to a pile of bricks? — Here also [the reference is] to a pile of bricks. But didn't Rabbi Zeira maintain that [the Rabbis] spoke only of a festival but not of a Shabbos? — Here also [the eiruv is one that was prepared] for a festival. If that were so, would it have been justified to state in reference to this [Mishnah that] 'Rabbi Eliezer ruled: If [the key] was lost in town the eiruv is effective but if it was lost in a field it is not effective'. Now if it was on a festival there is no difference in this respect between a

Such possibility need not be provided for in [the case of a tree which is hard and strong.

²⁴ Obviously because it is forbidden to use a growing reed. How then could Rav Nachman permit the use of an embankment made of growing reeds?

²⁵ Which are regarded as trees the use of which on the Shabbos is forbidden. Soft reeds, however, which come under the category of herb, may, therefore, be used.

town and a field?²⁶ — [Some words] indeed are missing [from the Baraisa] and this is the proper reading: If it was put in a cupboard and locked up and the key was lost the eiruv is effective. This ruling, however, applies only to a festival but on a Shabbos the eiruv is ineffective. [Even] if the key was found, whether in town or in a field, the eiruv is ineffective. Rabbi Eliezer ruled: [If it was found] in town the eiruv is effective; if in a field it is ineffective. 'In town the eiruv is effective' in agreement with Rabbi Shimon who laid down that roofs, courtyards as well as karpafs have the status of the same domain in respect of objects that rested in them. In a field it is ineffective in agreement with the Rabbis. (34b – 35a)

INSIGHTS TO THE DAF

Do Inaccessible Objects Become Muktzah?

In our sugya we learn that if fruit was stored in a sealed room, which was inaccessible when Shabbos began, and the room then collapsed on Shabbos making the fruit accessible, the fruit may be eaten on Shabbos. Rashi, Tosefos, and other Rishonim (cited in Biur Halacha 518:9, s.v. *Bayis*) state that we cannot rely upon this ruling in practice. Since it was impossible to reach the fruit when Shabbos began without breaking down the walls of the room, which is of course forbidden on Shabbos, the fruit inside are muktzah, based on the principle of *migo d'is'katzai*. That is to say, anything that was not fit for use when Shabbos began, and was therefore muktzah, remains muktzah even if it later becomes fit. In this case, even though the fruit themselves were edible, the external hindrance of the sealed room rendered them unusable. Even after the room collapsed, and the hindrance was overcome, the fruit remain muktzah.

These Rishonim explain that our Gemara is lenient, since it follows the opinion of R' Shimon, who holds that *migo d'is'katzai* applies only to certain cases where the person

consciously and decisively concluded that he would make no use of the object. For example, if a person fills a large bowl with oil, and then lights a wick in it before Shabbos, he assumes that the oil will be unusable for the entire Shabbos, and consciously decides that he will make no other use of that oil. If the fire then blows out, R' Shimon admits that the oil remains muktzah, due to *migo d'is'katzai* (Shabbos 44a). In the case of the sealed room, however, R' Shimon would not apply *migo d'is'katzai*. In practice, we follow the opinion of R' Yehuda who applies *migo d'is'katzai* to all cases of muktzah. Therefore, in this case also, we must forbid the use of the fruit, even after the room collapses – contrary to the ruling of our Gemara.

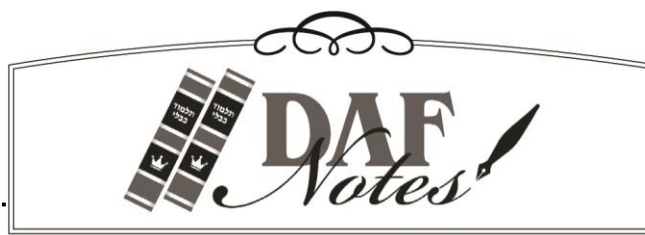
In Maseches Beitza, Rashi and other Rishonim offer a variant interpretation of this Gemara. They explain that the Gemara discusses a room made of flimsy walls, which according to Torah law may be broken on Shabbos. Since it was only a Rabbinic prohibition that made the fruit inaccessible, even R' Yehuda would agree that the fruit are not muktzah. Others, such as the Rambam and Rif, understood from our Gemara that an object is only considered muktzah if it is unfit for use. If the object is fit for use, but an external hindrance prevents one from reaching it, even if the hindrance involves a Torah prohibition, the object is not muktzah. Even R' Yehuda would agree that as soon as the room collapses one may eat the fruit.

In practice, the Shulchan Aruch (O.C. 518:9) rules according to the Rambam and Rif's leniency, whereas the Mishna Berura (Biur Halacha, *ibid*) rules that these opinions may only be relied upon in cases of great necessity.

A refrigerator whose light was left on: This debate is of practical relevance to us in a wide variety of cases. For example, if one lit a candle across from the front door of his

in a field, since in his opinion the cupboard may not be broken into (contrary to the view of Rabbi Meir) nor may the key be carried by way of courtyards, roofs and the like because these (contrary to the view of Rabbi Shimon) are not regarded as one domain; and (iii) that of Rabbi Eliezer of the Baraisa who agrees with Rabbi Shimon.

²⁶ Lit., 'what to me etc.' At this stage it may be explained. three different views have been recorded: (i) That of the first Tanna of our Mishnah who rules the eiruv to be effective whether the key of the cupboard was lost in town or in a field, since in his view it is permitted to break into the cupboard to get to the eiruv; (ii) That of Rabbi Eliezer of our Mishnah who rules that the eiruv is not effective irrespective of whether the key was lost in town or



house, and was unable to open the door when Shabbos began, lest the wind from outside extinguish the candle, it may be forbidden to open the door for the rest of Shabbos, since the door became muktza, *migo d'is'katzai* (Shemiras Shabbos K'Hilchosa 22:14-16; Minchas Shlomo I, p. 78).

Similarly, if a person did not disable the light bulb in his refrigerator, it may be forbidden to open the door for the rest of Shabbos, even if a Shabbos clock later turns off the fridge. Since the door was forbidden when Shabbos began, it remains forbidden for the rest of Shabbos, *migo d'is'katzai*. Furthermore, even the food inside the fridge may be muktza according to this principle, no different than the fruit inside the sealed room (Shemiras Shabbos K'Hilchosa, *ibid*).

Bosis is more than just an external hindrance: R' Shlomo Zalman Auerbach zt"l suggests that even when Shabbos began, and the wind was still blowing, it was possible to ask a gentile to move the candles, or to move them oneself in an indirect manner. Although the door could not have been swung upon without first making the necessary arrangements, there was a method by which the door could have been opened. Therefore, it did not become muktza.

Based on this, he asks why the same reasoning is not applied to the halacha of *bois*. When a muktza object is placed on a table or tray before Shabbos begins, the tray remains muktza even if after the muktza object is lifted, due to the principle of *migo d'is'katzai*. Why do we not say that the muktza could have been lifted by a gentile or in an indirect manner, and therefore the *bois* did not become muktza?

To answer, he explains that *bois* is more than just an external hindrance. The table or tray serve the muktza by supporting it. They thereby become extensions of the muktza, and acquire the same restrictions. *Migo d'is'katzai* certainly applies to muktza itself, even if unusual methods of moving it were available. The door in front of the candle was not muktza in its own right; it was forbidden to be opened only in order to protect the candle from being blown out. Since other means to protect the candle are found, *migo d'is'katzai* does not apply (Minchas Shlomo, *ibid*).

DAILY MASHAL

Only With Joy

R' Meir Shapira of Lublin, Rosh Yeshiva of Yeshivas Chochmei Lublin, and founder of the Daf HaYomi was *niftar* in 5694 (1933). The story is told that on his deathbed, he parted from each one of his students individually, shaking hands with each one in turn, and then asked them to dance before him in a circle, that he might leave this world with joy. One of them burst into tears, and R' Meir turned to him and said, "*Nor b'simcha* – only with joy." With these words, he left the world.

Indeed, the legacy that R' Meir Shapira left behind him was one of great joy – the incomparable joy of Torah study. R' Levi Yitzchak of Berditchev was known to say that when ever one feels overcome with a passion or desire for worldly pleasure, he should remind himself that the greatest pleasure is to be found in drawing close to Hashem, Who created all pleasurable things. Surely, the greatest joy is to be found in His service, by performing mitzvos, davening, and studying the Torah (Kedushas Levi, parshas Noach).

In this world of instant gratification, one might become discouraged if he does not feel at once the joy of Torah. However, we must remember that there is a marked distinction between "fun" and true joy. In fact, the Chida writes in his commentary to Koheles that fun (*s'chok*) and joy (*simcha*) are direct opposites (Chomas Onach, 7:2). Fun is a fleeting exhilaration, which need not include any sense of accomplishment or fulfillment. (Webster's dictionary writes that the word "fun" stems from the old English *fon*, which means befool). True joy comes only after one has labored to produce something beneficial and truly worthwhile.