

OVERVIEW of the Daf

1) Burning incense (cont.)

Rabbah and R' Yosef jointly rule that it is prohibited on Yom Tov to put a cup onto a garment to impart the smell of the cup into the garment.

This ruling is unsuccessfully challenged.

Rava rules that it is permitted to place incense on coals in order to smoke fruits just as it is permitted to place meat onto coals.

R' Geviha ruled that קטורה is permitted.

Ameimar questions the meaning of this ruling and R' Ashi explains that קטורה refers to the practice of smoking produce.

A second version of this exchange is recorded.

2) Roasting a goat with its intestines

A Baraisa records the Rabbis' opposition to Todos of Rome's practice to eat roasted goat with its intestines on the first night of Pesach.

3) **MISHNAH:** The Mishnah records three lenient rulings of R' Elazar ben Azaryah and the disagreement of others concerning one of those rulings.

4) Clarifying the Mishnah

The Gemara questions the language of the Mishnah that indicates that R' Elazar ben Azaryah owned one cow when in fact he owned many.

A Baraisa teaches that the Mishnah refers to his neighbor's cow, but since he did not protest her practice it is attributed to him.

A Baraisa explains that קרוד refers to combing an animal with a metal comb that has small teeth and קרצוף refers to combing an animal with a wooden comb with large teeth.

The three opinions of the Mishnah are explained.

R' Nachman ruled like R' Shimon that an unintended transgression is permitted because R' Elazar ben Azaryah agrees with him.

Rava unsuccessfully challenges R' Nachman's reasoning for

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Daf DIAGRAM



הרחים של פלפלין טמאה משום שלשה כלים

The grinder for peppercorns is made of three parts. If it is dismantled, each of the parts constitutes a utensil on its own and can become טמא.

The bottom collects the powdered pepper. The middle part (the sieve) is rabbinically טמא, as it is similar to a woven fabric.

The top part (the grinder) is טמא as any metal utensil. ■



Distinctive INSIGHT

The source for the opinion of Rabbi Shimon

רבי שמעון אומר גורר אדם מטה כסא וספסל ובלבד שלא יתכוין לעשות חריץ

Tosafos (Shabbos 110b) explains that the source for the opinion of Rabbi Shimon is the פסוק which states that the מלאכת מחשבת which is prohibited on Shabbos is purposeful and intended labor. This excludes actions which are done unintentionally. Nevertheless, we find that Rabbi Shimon rules that unintentional acts are פטורים in other areas of halacha, as well. For example, a nazir may wash his hair, and even rub his head, because his actions would be unintentional, even though he might pull out hair. Here there is no פסוק which might suggest that this is exempt, as the one found in reference to Shabbos. Why is this allowed? Ritva explains that once we find that the Torah teaches in reference to Shabbos that unintentional acts are פטורים, we extend this rule further to other areas of halacha, as well, via a בנין אב.

Pnei Yehoshua notes that the source for the opinion of Rabbi Shimon is found in the Gemara (Yevamos 4b) where the Torah lists two פסוקים to prohibit wearing כלאים. One teaches that כלאים may not be worn. The second states that sha'atnez may not be placed upon a person (לא יעלה עליך) Rashi explains that a merchant may carry fabrics of wool and those of linen on his back for display, as his intent is not for wearing it himself. Hence, the exemption of אינו מתכוין is universal. ■

REVIEW and Remember

1. Why is it permitted to roll fragrant wood between one's fingers even though it will impart a smell?
2. Why was R' Elazar ben Azaryah held accountable for his neighbor's practice?
3. Why, according to R' Yehudah, is it permitted to drag a wagon?
4. What is the dispute between the two versions of R' Yehudah's position regarding the use of wagons?

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HALACHAH Highlight

Pushing a stroller on Shabbos

ר' יהודה אומר כל הכלים אין נגררין חוץ מן העגלה מפני שהיא כובשת
R' Yehudah says, utensils may not be dragged [on the dirt] except for a wagon because it presses the dirt down.

When a stroller is pushed over sand or soft earth a groove may be left in the path of the wheels and one can question whether such a practice is permitted on Shabbos because it is similar to plowing, one of the thirty-nine prohibited melachos. The Gemara¹ frames the issue of dragging a bench or couch on the dirt as a dispute between R' Yehudah and R' Shimon. R' Yehudah maintains that an unintended outcome **דבר שאינו** (מתכוין) is prohibited whereas R' Shimon holds that it is permitted. Accordingly, one might assume that R' Yehudah would prohibit using a stroller on Shabbos and R' Shimon would permit pushing the stroller. Our Mishnah, however, teaches that even R' Yehudah permits pushing a stroller. Yet this is not because **דבר שאינו מתכוין** is permitted, but rather because the wheels do not actually dig up the ground. Rather, it presses the dirt down beneath it. Since the dirt is not being loosened and removed it does not qualify as plowing and hence the activity is permitted².

One could argue³ that the lenient ruling regarding pushing a stroller applies only when the stroller is pushed in a straight line but when the stroller is turned it does dig up some of the dirt or sand and should be prohibited. Rav Ovadiah Yosef⁴ disputes this approach and rules that it is permitted. The reason is that even if it was accepted that the digging up of the dirt is inevitable when turning the stroller, nonetheless, the Gemara declares that it is an unusual way of plowing and thus only registers as a Rabbinic

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ruling in accordance with R' Shimon.

5) MISHNAH: The Mishnah teaches that a pepper grinder is susceptible to tumah in three different ways.

6) Clarifying the Mishnah

A Baraisa describes the three parts of the pepper grinder and the different tumah for which each part is susceptible.

7) MISHNAH: The Mishnah discusses the tumah status of a child's wagon as well as the dispute regarding the use of the wagon on Shabbos.

8) Clarifying the Mishnah

The Gemara clarifies each clause of the Mishnah. It is noted that on the one hand Tanna Kamma, who prohibits dragging a wagon, seemingly follows R' Yehudah who maintains that an unintended transgression is prohibited. On the other hand, R' Yehudah explicitly rules in the Mishnah that the practice is permitted.

The contradiction is resolved by attributing the discrepancy to different versions of R' Yehudah's position.

9) MISHNAH: The Mishnah discusses details regarding trapping on Yom Tov. ■

prohibition. Therefore, we are dealing with a question of an inevitable consequence (**פסיק רישיה**) which is of no benefit (**דלא ניחא ליה**) for a Rabbinic prohibition. Given those circumstances Poskim write that the activity is permitted even **לכתחלה**⁵. ■

1. גמ' שבת כב וע' בגליון שם עוד מקומות דפליגי ר"י ור"ש בענין זה
2. רש"י ביצה כג: ד"ה מפני שכובשת
3. ע' שמירת שבת כהלכתה מה"ק עמ' קס"ב שםסיק כן אולם במהדורות החדשות פ' כ"ח סע' מ"ב חזר בו והסיק בשם הגרש"ז אויערבך דגם להפנותה לצדדים מותר וע"ש הע' צ"ט
4. שו"ת יחווה דעת ח"ב סי' נ"ב
5. שו"ת יחווה דעת הנ"ל עמ' קצ"ט שמביא כן בשם כמה פוסקים ■

STORIES Off the Daf

Rav Elazar ben Azarya's cow

למימרא דר' אלעזר בן עזריה חדא פרה היוא ליה...תנא לא שלו היתה אלא של שכנתו היתה ומתוך שלא מיחה בה נקראת על שמו

On today's daf we find that Rav Elazar Ben Azarya's silence in the face of his neighbor's failing actually placed that one errant cow on Rav Elazar's own account. Since he did not offer rebuke, Rav Elazar ben Azarya's neighbor assumed that the great rav's silence signaled acquiescence.

In the synagogue of Radin, a sign hung on the wall: "Anyone who dares to raise his hand against his friend will be placed in cherem!" Once, a notorious bully beat

another Jew viciously and the Chofetz Chaim, zt"l, instructed the shamash to punish the offender accordingly. Fearing a reprisal, the shamash conveniently absented himself from shul for the following tefillah.

As soon as the Chofetz Chaim noticed the absence of the shamash, he took matters into his own hands. The gadol ascended the bima himself and declared, "In order to fulfill the mitzvah of 'fearing no man,' (Devarim 1:17) I hereby pronounce so-and-so in cherem until he repents and asks forgiveness!"

A few hours later, the bully entered the shul in a contrite frame of mind, admitted his sin before everyone, and publicly begged forgiveness of his victim!

The Chofetz Chaim often directed other Rabbonim to actively rebuke their congregations. He would say, "Picture the heavenly judgment of an average ba'al habayis. The court will ask him if he set aside time for Torah study, and he will also be asked all the other questions normally put before the deceased. The defendant will offer various excuses but none will be accepted because the heavenly court knows the absolute truth. Finally, the ba'al habayis will try to exonerate himself by saying that the rav of his community never told him anything was wrong! And this excuse will be accepted to a certain degree because you never rebuked your flock. Why allow the sins of all those people to rest on your shoulders?" ■

