



OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah discusses the circumstances in which it is permitted to gather detached wood on Yom Tov.

2) Gathering wood from an enclosure

R' Yehuda in the name of Shmuel ruled that only gathered wood may be taken from an enclosure.

This ruling is challenged from the Mishnah that indicates that even scattered wood may be taken from an enclosure.

The Gemara answers that the Mishnah represents a minority opinion.

Rava issues a similar ruling related to gathering leaves on Yom Tov.

3) Clarifying the dispute in the Mishnah

The Gemara questions which of the two different ways to understand the Mishnah is correct.

It is demonstrated from the language of the Mishnah that R' Yosi represents the lenient opinion on this issue.

R' Sala in the name of R' Yirmiyah rules in accordance with R' Yosi.

4) MISHNAH: The issue of chopping wood is examined.

5) Clarifying the Mishnah

A contradiction is noted regarding the permissibility to chop wood on Yom Tov.

R' Yehudah in the name of Shmuel explains that part of the Mishnah is missing and with that missing piece the Mishnah is understood.

A Baraisa supports this explanation.

6) The use of an ax

R' Chinana bar Shelamya in the name of Rav ruled that only the narrow blade of the ax may be used but not the wide blade.

The novelty of this ruling is identified.

A second version of this discussion, in reference to a different part of the Mishnah, is presented.

7) **MISHNAH:** The Mishnah discusses the use of produce that began Yom Tov behind a locked door and whether it is permissible to break the wall to gain access to the room.

8) Clarifying R' Meir's opinion

The Gemara questions how R' Meir could permit breaking a wall when it violates the prohibition against demolishing a structure.

The Gemara concludes that the bricks were merely piled rather than cemented together. Moreover it is a leniency that

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Distinctive INSIGHT

When a rabbinic prohibition is allowed due to שמחת יום טוב והתניא מודים חכמים לר' מאיר בחותמות שבקרקע שבשבת מתיר וכו' ביר"ט מתיר מפקיע וחותרך

The ח"ח notes that in the Mishnah, we find that the חכמים prohibit dismantling the rows of bricks which are not cemented, unless the area first becomes semi-demolished. This is not allowed, even if the person wishes to access the fruit which is in the enclosure to enhance his Yom Tov. Later, the חכמים allow the rope which secures the door of the pit to be untied, unraveled or cut in consideration of שמחת יום טוב—the celebration of Yom Tov. Why do they defer the rabbinic injunction against untying and removal of the rope which secures the door of the pit, yet they do not dismiss the rabbinic prohibition in the case of the layers of brick which enclose the fruit?

ח"ח points out that in the case of the bricks, in addition to the issue of demolishing, we also have a second prohibition, the issue of muktzah. We do not permit two rabbinic prohibitions for the sake of שמחת יום טוב. The case of untying the rope of the door of the pit only entails one rabbinic infringement, and the celebration of Yom Tov overrides this one issue.

We can use this insight to explain the difference of opinion in our Mishnah. Tanna Kamma considers muktzah an issue, and the removal of bricks would therefore entail the dismissal of two rabbinic laws for the sake of שמחת יום טוב, which we are not prepared to do. Rabbi Meir, on the other hand, does not agree with the law of muktzah in this case. The only issue is the rabbinic law not to untie the rope lock. For the sake of simchas Yom Tov, he is prepared to override the one rabbinic law. ■

REVIEW and Remember

1. How does one remove the muktzah designation of leaves?
2. According to the Gemara's conclusion, what is the dispute between R' Yehudah and R' Yosi?
3. Which part of an ax blade may be used to chop wood on Yom Tov?
4. Why is there no prohibition against untying the rope that holds the doors that cover a pit?

Today's Daf Digest is dedicated
In memory of the 39nd yahrzeit of our father
HaRav Simcha Bunim ben R' Zalman Moshe HaLevi.

HALACHAH Highlight

Using leftover bricks

והאמר ר' נחמן הני ליבני דאייטור מבנינא שרי לטלטולינהו בשבתא הואיל וחזי ללמזגא עלייהו שרגינהו ודאי אקצינהו

Didn't R' Nachman say, these bricks which are leftover from construction are permitted to move around on Shabbos since they can be used for sitting. If he piled them up, they are certainly muktza.

R' Nachman's ruling is codified in Shulchan Aruch¹. Mishnah Berurah adds, in the name of the Elya Rabbah² that it is not even necessary to designate that the leftover bricks will be used for sitting, because the default assumption is that the leftover bricks will be used for sitting. He then cites others in the name of the Rosh that take a more strict approach and require that a formal designation be made to remove the muktza status of the bricks.

Rav Binyomin Zilber³ wrote in Teshuvos Az Nidbru regarding this halacha that if one did not have in mind before Shabbos to use the leftover bricks they would remain muktza. This ruling was challenged by a talmid chochom who questions the stringency cited by the Mishnah Berurah in the name of the Rosh. Granted if the brick may still be used it would be necessary to designate the brick before Shabbos but once the building project is complete and the brick is leftover it should automatically lose its muktza status.

In response to this challenge, Rav Zilber⁴ agrees that the language of the Mishnah Berurah indicates that it is only a stringency to require designating the bricks before Shabbos but that choice of language is difficult since the Elya Rabbah him-

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applies only for Yom Tov but not for Shabbos.

A Baraisa supports this explanation.

9) Knots

Shmuel ruled that knots attached to the ground may be untied but not unraveled or cut but those attached to utensils may even be cut or unraveled. Shmuel's ruling is challenged from a Baraisa

Shmuel answers that the Baraisa reflects R' Meir's opinion of the Mishnah and he follows the more strict position of the Rabanan.

The Gemara challenges whether there is a dispute between R' Meir and Rabanan regarding fasteners that are attached to the ground. ■

self was uncertain about this halacha. Furthermore, the language of the Gemara supports the strict approach of the Rosh. The Gemara states that if one designated the bricks for future use they are certainly muktza thus implying that if they were not designated for use there is uncertainty whether they will be used for future construction or not and thus designation would be required to remove their muktza status. Rav Shmuel HaLevi Wosner⁵, the Shevet HaLevi, also writes that it is unclear whether this ruling would apply nowadays when leftover bricks are not commonly used for sitting. ■

1. שו"ע או"ח סי' ש"ח סע' י"ז

2. מ"ב שם ס"ק ע"ג

3. ספר ברית עולם דיני מוקצה מחמת גופו סע' ל"ב

4. שו"ת אז נדברו ח"ב סע' נ"ג

5. שו"ת שבט הלוי ח"ה סע' מ' ■

STORIES Off the Daf

The blowing winds

אמר רבא עלי קנים ועלי גפנים אף על גב דמכנפי להו ומותבי כיון דאי מדלי זיקא מבדר להו כמפורים דמו

On today's daf we see that one may not bring in light foliage on Yom Tov even if it was gathered ahead of time because the owner knows that it is likely to be blown away and cannot be depended upon. The Mekor Chaim, zt"l, explains that these leaves represent the "lightweight" amei ha'aretz who lack inner content and the gravity of genuine convictions. Even if such people are "gathered" together in shul often, their

vulnerability to being swayed by any wind that comes along renders their attendance at shul simply insufficient.

The Torah Temima, zt"l, commented in his memoirs that the American obsession with the pursuit of money bred an odd sort of commitment to Judaism. People, unfortunately, just didn't take the time to consider their priorities. As an example of this, he records that, in 1873, a fairly large American congregation was blessed with a G-d-fearing rabbi, but their very capable chazzan had far less yiras Shomayim. In this particular congregation, the custom was to recite all of the yotzros without exception. When the chazzan decided to lighten his load by skipping one of the yotzros during Shabbos Parshas Zachor, the rabbi was justifi-

ably incensed. He delivered a fiery sermon about the importance of guarding every single custom of the Jewish people.

The congregation was very moved by the derasha, and they fired the chazzan for trifling with time-honored minhag.

A few years later, the congregation hired a different rabbi, one who identified himself as "progressive." As soon as he assumed his new post, the rabbi delivered a fiery sermon about how unnecessary it is to continue saying, ותחזינה עינינו. This very same congregation that had fired its chazzan for disregarding tradition immediately obeyed the rabbi and changed the prayers! How can going to shul keep my Jewish identity pure if I don't know what a pure Jewish identity is to begin with? ■