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OVERVIEW of the Daf

1) Moving a corpse on Shabbos (cont.)

R' Yochanan is quoted as ruling like R' Yehudah ben Lakish who stated in the previously quoted Baraisa that it is permitted to move a corpse to save it from a fire.

2) Leftover oil in a lamp after the fire went out

According to the Tanna Kamma of the Baraisa, the leftover oil in a lamp is prohibited but R' Shimon permits it.

3) MISHNAH: A new lamp may be moved on Shabbos but not a used lamp because it is muktza as a result of it being disgusting (מוקצה מחמת מיאוס). R' Shimon rules that any lamp may be moved except for one that is actually burning on Shabbos.

4) The muktza status of a lamp

A Baraisa records a disagreement about the muktza status of a lamp on Shabbos. According to R' Yehudah, any used lamp is muktza. R' Meir holds that only a lamp that was lit for Shabbos is muktza. R' Shimon rules that only a lamp that supports a flame is muktza, but once the flame goes out it may be moved. If, however, one used another utensil other than a lamp, the utensil remains muktza even after the flame goes out. R' Eliezer ben R' Shimon holds that one may take oil from a lamp whose flame is going out or oil that is dripping from the lamp.

Abaye explains that R' Eliezer agrees with his father in that he does not hold that the lamp is muktza, and he disagrees with his father who only permits taking oil after the flame has gone out. R' Eliezer permits taking oil even if the flame has not yet gone out.

Mar Zutra explains the rationale for the distinction made by R' Shimon between taking oil from a lamp or from a different utensil.

R' Zeira rules that a metal candlestick which had a flame on it is muktza because of a prohibition (מוקצה מחמת איסור), but if it did not have a flame it is not muktza because metal does not become repugnant.

5) The use of a bed to store muktza

R' Yehudah in the name of Rav presents guidelines to determine whether a bed used to store money is muktza.

6) The muktza status of an item is determined at the beginning of Shabbos

From the previous statement of Rav, it is evident he holds that an item that was muktza during bein hashmashos automatically remains muktza for the duration of Shabbos. Ulla quotes R' Elazar who questions this position from a Baraisa.

The Gemara explains that the Baraisa, which is lenient on this issue, follows the opinion of R' Shimon who disputes the principle that an item that was muktza during bein hashmashos remains muktza for the duration of Shabbos. Rav, however, follows the opinion of R' Yehudah who accepts this principle. ■

Gemara GEM

Rabbi Shimon and Muktza Oil

דאילו אבוה סבר כבה אין לא כבה לא, ואיהו סבר אע"ג דלא כבה

At this point in the Gemara, we find that Rabbi Shimon holds that the oil in the holder is only permitted once the light becomes extinguished. His son, Rabbi Eliezer is of the opinon that the oil is permitted even if the flame is still lit.

Rabbi Shimon does not consider the category of muktza to be prohibited. Nevertheless, the oil which drips from the capsule supporting the flame is prohibited as long as the flame is lit. The reason is that even Rabbi Shimon agrees that the person consciously dismisses the oil in the candle from his agenda as long as the fire remains lit. We consider that oil as "pushed away" from being accessible, and therefore as muktza, even according to Rabbi Shimon.

It is even more noteworthy to point out that this includes the oil which drips over the edge of the container, and even if it drips onto a plate which the person placed there to catch the spillage. Yet, even those drops are beyond the scope of the person's intent for use on Shabbos. The reason is that he placed the dish below the candle simply to prevent the spot below the candle from becoming soiled. The person did not expect that enough oil would collect to be able to retrieve it and actually use it for any practical purpose. (See Tosafos Rid). ■

REVIEW and Remember

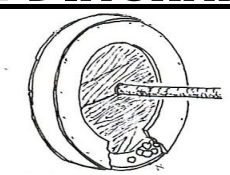
1. What is the rationale to permit moving a corpse to save it from a fire?

2. According to Mar Zutra's explanation, what is the difference between the leftover oil in a lamp ad the leftover oil in a large utensil?

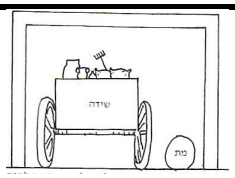
3. If a bed is designated for the storage of money, does it become muktza?

4. What determines whether an item will be muktza for the entire Shabbos?

Daf DIAGRAM



Rashi explains that the wheel has within it a compartment. If it is detachable, the items in the wheel well do not have the same status of the wagon.



We are not dealing about a situation where the wagon is under the same roof as the tum'ah, because everything would be impure directly, being in the "tent of the dead".

HALACHAH Highlight

Moving candlesticks (leichter) that have never been used before

אמר רב יהודה אמר רב: מטה שיחדה למעות - אסור לטלטלה.

Rav Yehuda said in the name of Rav: A bed that was designated verbally to be used for keeping money becomes prohibited to move on Shabbos.

The Shulchan Aruch[1] codifies this topic. The Mishnah Berura[2] remarks there that if the person designated the bed for the placement of monies, however never once actually used the bed for that purpose, then the bed is not Muktzeh, since simple designation alone is not sufficient to assign the intended status without actualization of the intended usage (הזמנה לאו מילתא היא).

The Shulchan Aruch[3] elsewhere rules that a candleholder that was not lit on Shabbos, even if it was made of pottery that is repulsive, it still may be moved on Shabbos. The Mishnah Berura[4] comments that there are limitations to this permissibility, namely that the item may only be moved לצורך גופו ומקומו (if the item itself was needed for a permissible usage or if the space was needed). The Eliyahu Rabbah[5] states that this is true only if the candleholder has been used before, whether on a previous Shabbos or a weekday. However, if the candleholder has never been used before, but has only been designated for lighting, then it is classified as a vessel whose usage is permitted (כלי שמלאכתו להיתר) because designation alone does not suffice to assign a label to the item, and therefore it would be permitted to move the candleholder in order to prevent its loss or its being stolen. However, the Pri Megadim[6] comments that this statement of the Eliyahu Rabbah was intended only for the candleholders of that time, but candlesticks[7] like ours , even new ones, are to be classified as כלי שמלאכתו לאיסור (a utensil whose use is for activity prohibited on the Shabbos), since it has no use but this prohibited one. The Pri Migadim concludes his comment by remarking that this distinction requires further consideration (וצ"ע). Interestingly and uncharacteristically, the Mishnah Berura[8] cites the Eliyahu Rabbah regarding new candleholders, but does not make mention of the distinction presented by the Pri Megadim[9].

The Aruch HaShulchan[10] strongly states that candlesticks, even those that have never been used, are מוקצה גמורה (true Muktzeh), since they have no usability aside from their usage as candlesticks, and as such may not be moved even לצורך גופו ומקומו (if the item itself was needed for a permissible usage or if the space was needed). The Pri Megadim[11] seems of this opinion.

Rav Shmuel Vozner[12] was asked whether one could move a Menorah that had never been used before. Rav Vozner permits moving the unused Menorah, and bases his permissive ruling essentially upon the above cited Mishna Berura that simple designation alone does not suffice until there is actual usage. He mentions the view of the Pri Megadim[13] and the fact that the Mishnah Berura atypically does not make mention of his opinion, however, after deliberation, Rav Vozner rules with the Mishnah Berura. Rav Binyamin Zilber[14] challenged Rav Vozner in interpreting the view of the Mishnah Berura, and, after quoting the view of the Chazon Ish, opined that the never used Menorah is to be considered Muktza. Rav Vozner[15] responded to the challenge and upheld his original ruling; however, in deference to the opinion of the Chazon Ish[16], which had not been available when he issued his first ruling, he remarked that one should be strict.

It should be noted that Rav Moshe Feinstein[17] did rule in regard to candlesticks that were not used on that particular Shabbat, but not regarding never used candlesticks. Rav Feinstein classified unused leichters as כלי שמלאכתו לאיסור (a vessel whose primary purpose is for activity prohibited on Shabbos) , and as such may be moved לצורך גופו ומקומו if the item itself was needed for a permissible usage, or if the space was needed). ■

1 שו"ע סי' שי ס"ז 2 משנ"ב שם ס"ק כה 3 שו"ע סי' רעט ס"ו 4 שם ס"ק יט 5 א"ר (סי' רעט ס"ק יג) ע"פ הביאור הלכה (סי' רעט ד"ה נר שלא הדליקו). ע"ש. 6 פרמ"ג (סי' רעט באו"א ס"ק יד אות ב'). ועי' כזה עוד בפרמ"ג (סי' שח באו"א ס"ק ה'). 7 בפרמ"ג כתוב קנדיל"א ובשו"ת אז נדברו ח"ג (ריש סי' לט) ציטט הפרמ"ג וציין על לשון זה: "מה שקוראים לייכט"ר - פמוטים" 8 ביאור הלכה (סי' רעט ד"ה נר שלא הדליקו) 9 אמנם עי' בביאור הלכה (סי' שיג ס"א ד"ה שיהא). ודו"ק. 10 ערוך השלחן (סי' רעט ס"א וסי' שח סכ"ג). [ועי' גם בשמירת שבת כהלכתה (פרק כח הערה פ, עמ' שסא). אבל השווה לפרק כ הערה ריד, עמ' רנז)] 11 עי' במקומות שציינו לעיל. וכן עי' פרמ"ג (סי' שח באו"א ס"ק יב. [וכן ראה בשו"ת אבני נזר (חאו"ח סי' נה אות ב).] 12 שו"ת שבט הלוי ח"א (סי' נו) 13 פרמ"ג (סי' רעט באו"א ס"ק יד אות ב') 14 שו"ת אז נדברו ח"ג (סי' לט) 15 שו"ת שבט הלוי ח"ג (סי' לב) 16 חזון איש (או"ח סי' מד אות יג). ועי' בשו"ת אז נדברו ח"ג (סי' לט). 17 עי' שו"ת אגרות משה ח"ה מחאו"ח (סי' כב אות כח, עמ' עה). ועי' בס' טלטולי שבת לרבי ישראל פנחס באדנער (פרק ב הערה 42, עמ' 48) בשם הגרמ"פ.

Gemara GEM

Saving a Body or One's Possessions from a Fire

אי לא שרית לי' אתי לכבויי

The Gemara says that a person is allowed to save the body of a dead person from being consumed by a fire. Chazal realized that because a person would panic about the fate of a dead relative, he would even extinguish the fire in order to save his dead relative's body. They therefore permitted a person to save the dead person on Shabbos, even though it involved carrying Muktzah.

We find the exact reversal of this logic in a later Gemara (117b). The Mishna there states that if a fire breaks out in a person's house on Shabbos, he is only allowed to save a limited amount of food from his home, even if he is physically able carry out more food without transgressing the prohibition of carrying on Shabbos. Why? The Gemara explains that as a person becomes panicked about his monetary possessions, if he would be permitted to save more food he would simply put out the fire. Why is it that in the Gemara about food we use panic as a reason to be stringent and to limit the amount of food to be saved, whereas in our Gemara we use panic as a reason to be lenient and to allow the body to be removed?

Tosafos explains that there are two different concerns in these Gemaros. In our Gemara, Chazal understood that a person would be so distraught that he would purposely put out the fire, even with full knowledge while doing so that he was desecrating Shabbos. The Gemara later was talking about a lower level of stress, where he is facing the risk of losing his possessions. If we would let a person stage a normal rescue operation to save all of his possessions, we are scared that during the process he will forget that it is Shabbos and end up *accidentally* putting out the fire. This is why Chazal decreed that he should only save a limited amount of food. ■

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