

This month's Daf Digest is dedicated  
L'Ilui Nishmas Mr. Israel Gotlib of Antwerp and Petach Tikva, Yisrael Tzvi ben Zev  
By Mr. and Mrs. Manny Weiss

## OVERVIEW of the Daf

### 1) Corrupt judges

A Baraisa is cited that blames a generation's troubles on the presence of corrupt judges.

The Gemara states further that Hashem will not rest His Divine Presence on Klal Yisroel until corrupt judges and officers cease to exist.

Based on the pasuk cited, Ulla teaches that Yerushalayim will not be redeemed except through tzedaka.

The Gemara further elaborates on the topic of corrupt judges.

Once the Gemara cited statements from R' Mallai and his son, the Gemara quotes two more unrelated teachings of his.

### 2) The three questions of the residents of Bashkar

The residents of Bashkar sent three questions to Levi, one of which related to erecting a canopy on Shabbos. Levi died before the questions arrived and R' Menashya answered with a restrictive ruling in all three cases. When asked why he didn't take a more lenient approach R' Menashya responded that the residents are not Bnei Torah and he was concerned that issuing a lenient ruling would lead them to further leniencies that have no basis in halacha.

### 3) Wearing a canopy

R' Avin bar R' Huna in the name of R' Chamabar Gurya ruled: It is permitted to wear a canopy with its strings on Shabbos even though R' Huna ruled that it is prohibited to go out on Shabbos with invalid tzitzis. The reason is that tzitzis are a significant item and therefore are not subordinate to the garment, whereas the strings on the canopy are not significant and therefore are subordinate to the garment.

### 4) Making a strainer on Yom Tov

Rabbah bar R' Huna permits a person to use subterfuge to make a strainer on Yom Tov. If he first makes the strainer to store pomegranates, he may then use the strainer for wine. R' Ashi requires that the strainer be used for pomegranates to employ this subterfuge.

The Gemara tells of a student of R' Ashi who used subterfuge to permit particular activities, and R' Ashi defended his behavior when questioned by the other students.

5) **MISHNAH:** The Mishnah discusses other activities that are similar to straining wine. Additionally the Mishnah mentions the guidelines for preparing a beverage called inumlin.

### 6) Filtering wine

Zeiri ruled: It is permitted to strain clear wine and water on Shabbos, but cloudy wine is prohibited.

Following a challenge from a Baraisa, Zeiri teaches that in a circumstance when wine is drunk when cloudy, it is permitted to filter even cloudy wine.

### 7) Clarifying the Mishnah

R' Shimi bar Chiya stated that although the Mishnah rules that it is permitted to filter wine through, a cloth one must be careful not to form a hollow in the cloth.

R' Chiya bar Ashi in the name of Rav stated: When filtering wine through a basket, one must be cautious that the bottom of the basket is not raised more than a tefach above the bottom of the lower utensil, which would violate the prohibition against forming an ohel.

The Gemara records two more halachos related to filtering wine. ■

## Distinctive INSIGHT

### *Borer as it applies to pouring wine or soup*

שאפו שיכרה ממנה למנה

If a person has a pitcher of soup or wine with solid pieces at the bottom (noodles or sediment), and he wishes to pour off just the liquid into another container, Shulchan Aruch (O.C. 319:14) rules that one may pour the liquid out until the stream begins to thin out, and the solid at the bottom of the container moves toward the lip of the pitcher. When the liquid which is mixed in with the solids begins to flow out from the solids, he must stop pouring. At this point, the liquid and solids are mixed, and continuing to pour would be the melacha of selecting - borer. Magen Avraham (ibid. #15) explains that the reason we allow the pouring off of the liquid at the top of the container is that this liquid is not noticeable as being mixed in with the solids at the bottom of the container, and this is therefore not borer. Pri Megadim writes that according to Magen Avraham, even if there would be a large amount of liquid in the vessel, but it appears as his intent is to separate the liquid from the solid pieces at the bottom, this would be prohibited. Accordingly, pouring off liquid would not be allowed in a case where a person wishes to pour congealed or liquid fat off the top of a pot of sauce. It would also be prohibited to remove a fly from the top of a cup of juice, even if the person takes a spoonful of juice off with the fly. Because the ruling of Magen Avraham associates borer with how noticeable his actions are, the two cases mentioned would be prohibited. The Taz rules that these cases are allowed, and Mishna Berura concludes that we follow the ruling of the Taz, if one takes off some sauce with the fat, or if one removes some juice with the fly.

Chazon Ish (#53) explains that our Gemara allows pouring off wine from the top of the pitcher, because that wine is not mixed in with the sediments at all. The wine is at the top, while the sediment is at the bottom. Borer is only an issue when two things are mixed. When he empties the pitcher, and all that is left is the wine at the bottom, that wine is indeed mixed with the undesirable sediment, and then he must stop pouring. ■

## REVIEW and Remember

1. What activity will bring the redemption of Yerushalayim?  
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2. What characteristic did R' Menasya fear from people who are not Bnei Torah?  
\_\_\_\_\_
3. Why was R' Ashi willing to allow subterfuge by a young scholar?  
\_\_\_\_\_
4. Why is it permitted to pour a liquid from a utensil slowly in order to separate the liquid from the solids also in the utensil?  
\_\_\_\_\_

# HALACHAH Highlight

## Permissible accessories to be worn in the public domain<sup>1</sup>

אי"ר אבין בר ר' הונא אי"ר חמא בר גוריא מתעטף אדם בכילה ובכסכסיה ויוצא לרה"ר בשבת ואינו חושש

### Functional attachments

As a rule, objects attached or connected to a garment that are functional accessories of the garment (whether to hold the garment up or for stylistic purposes) may be worn outside just as the garment itself. This is because an accessory is viewed as an extension of the garment itself. Therefore, the garment (with its accessories) may be worn even if the accessories are not presently used or needed.

Examples:

1. Buttons, hooks, loops
2. Safety pins (pinning a tear or replacing button. If the pin serves no purpose, it should be removed before going out.)
3. Cuff links (when clasping the cuffs)
4. Plastic collar stiffeners, shoulder pads (e.g. of the type common in women's dresses)
5. Suspenders
6. Tie clips

Adornments to a garment are also considered part of the garment itself. One is therefore permitted to go out with a garment to which decorative and ornamental accessories are attached.

Examples:

1. Decorative buttons (even if not functional)
2. Decorative pins
3. Cuffs (stylistic)

### Nonfunctional attachments that are always on the garment

Attachments that are ordinarily attached to a garment do not pose any Halachic problem, even though they are important to the wearer and yet serve no purpose toward enhancement of the garment. This is because attachments such as these become an intrinsic part of the garment. (In this context, they may be likened to a person whose hair or nails are overgrown, or who has a hangnail - all of which are simply part of the person.)

Examples:

1. Manufacturer's labels
2. Shaatnez labels
3. Spare buttons sewn into the lining of a jacket

### Unnoticed attachments that are not meant to be part of the garment

Useless items or materials that happen to be connected or stuck on to a garment which the wearer hardly notices, and has no intentions to keep, are insignificant and thus subordinate to the garment itself. This is true even though the attached objects are not meant to be there.

The melacha of Hotzoa does not apply to attached items or substances for which one has no thought, use, or need. One may therefore go in R'shus Harabim with these attached items.

Examples:

1. Button threads remaining in a garment after a button fell out. (The threads may not be removed on Shabbos.)
2. Cleaning tags or price tags (on inside of garment)
3. A loop at the collar lining (by which the jacket or coat is hung) that tore at one end and will not be repaired.

However, objects or items that are clearly undesired and bothersome to the person are classified as a Massui, and may not be left on the person or attached to his garments while going out. An example of this: Price tags still attached to the outside of a new garment. These and similar items must therefore be removed before Shabbos.

### Functional garment accessories not presently used

A garment with functional accessories that are not presently being used, or are no longer needed, may be worn in R'shus Harabim, because, as stated, they are considered merely extensions of the garment and intrinsic parts of it.

Examples:

1. A coat with a zipped-on hood hanging from the back
2. A coat with a waist belt (whether sewn in or threaded through loops) may be worn in R'shus Harabim, even though the belt is dangling. ■

<sup>1</sup> The 39 Melachos, by Rabbi Dovid Ribiat, pages 1364-1367. Used with permission of the author.

## Gemara GEM

### To drink together as brothers

אף הן לא טעמו טעם יין דכתיב וישתו וישכרו  
עמו – מכלל דעד האידינא לא

In his commentary to Chumash, Rashi cites our Gemara, that from the day the brothers had sold Yosef, neither they nor he had drunk any wine. But on that day they appeared before Yosef, they drank together.

We can understand how Yosef would partake of wine, for he had found his brothers and he was overjoyed to hear of his father. However, the brothers were not

yet aware of Yosef's identity, and they had no knowledge of his whereabouts. Why were they so ready to drink wine? Why was their position any different than it had been before?

The brothers had been accused of espionage. In general, true spies must take special care not to be guilty of a slip of the tongue so that they do not reveal their mission. Had the brothers avoided participating in the drinking, suspicion would have been aroused that their reluctance to drink was because they could not chance a slip of the tongue by being intoxicated. Therefore, to avoid suspicion, they had no choice other than to drink the wine.

Another answer given is that when the brothers brought Binyomin back with them and they saw that he was surprisingly presented with five times as many gifts as the rest of them, they still felt no jealousy not envy toward him. They then realized that they had finally overcome the problem which had caused the sale of Yosef in the first place. The jealousy, which had existed in the family and had plagued their relationships with one another, no longer endured. Now they were justified in being able to drink.

The truest and deepest joy comes when one is able to overcome weaknesses in his or her personality, and is able to improve one's behavior towards one's fellow man. ■

