



OVERVIEW of the Daf

1) The muktza designation of a candelabrum (cont.)

The Gemara continues to pursue an explanation of the point of dispute between R' Yochanan and Reish Lakish concerning the muktza status of a candelabrum.

Abaye explains that the disagreement is limited to a small candelabrum that has grooves which could lead an observer to mistake it for a sectional candelabrum which everyone agrees is muktza.

A final summary of the laws of candelabras is presented.

2) A challenge to the assumption that R' Yochanan follows R' Yehudah's definition of muktza

The Gemara questions the conclusion that R' Yochanan follows the opinion of R' Yehudah concerning muktza when R' Yochanan states that halacha follows an anonymous Mishnah and there is an anonymous Mishnah that follows the opinion of R' Shimon.

The Mishnah is reinterpreted to be consistent with R' Yehudah.

2) Clarifying the opinion of Rabbi

R' Yehoshua ben Levi quoted a ruling from Rabbi concerning a lamp and a candelabrum but the Gemara can not resolve precisely what the ruling was.

3) The muktza status of a lamp

A number of incidents concerning the muktza status of lamps are recorded.

4) The muktza status of a nafta lamp

R' Yehudah rules that a nafta lamp would be muktza even according to the opinion of R' Shimon because of its degree of repugnance. Rabbah and R' Yosef disagree, because even a nafta lamp could be used to cover another utensil.

5) An apparent contradiction between different rulings of R' Shimon

Abaye pointed out to Rabbah an apparent contradiction between two rulings of R' Shimon. The case of leftover oil indicates that R' Shimon does not accept a broad definition of muktza and yet from a halacha involving a bechor that develops a blemish on Yom Tov, it seems that R' Shimon does accept a broad definition of muktza.

Rabbah answers that since in the case of the bechor the owner does not anticipate making use of the animal on Yom Tov it is indeed muktza, as opposed to the case of the leftover oil where the owner anticipates making use of the oil once the flame goes out.

6) Clarifying R' Shimon's opinion regarding דבר שאינו מתכוין

Abaye pointed out to R' Yosef an apparent inconsistency in the opinion of R' Shimon. R' Shimon ruled that a lamp whose flame has not yet gone may not be moved because the flame may unintentionally be extinguished and yet we know that R' Shimon rules that a דבר שאינו מתכוין is permitted.

R' Yosef distinguished between an unintentional act of a Torah violation and an unintentional act of a rabbinic violation but Rava successfully challenged that distinction. ■

Gemara GEM

Construction vis-à-vis Utensils—בנין בכלים

הלכך חוליות בין גדולה בין קטנה אסורה לטלטלה

The melacha of building or constructing was classically done in the Mishkan in regard to a fixed structure. Whether this extends to putting together pieces of utensils and other portable objects is the subject of a מחלוקת between Beis Hillel, who allow it, and Beis Shamai, who prohibit it. Our Gemara states as a matter of fact that tightening the pieces of a candelabra is prohibited, which seems to plainly represent the opinion of Beis Shamai. Nevertheless, there are those who say that even when Beis Hillel allow בנין בכלים, this is only when we are adjusting a part of a utensil or piece of furniture which needs just a bit of strengthening. However, this candelabra is made of many small pieces, and it has no structural integrity of its own other than its being made of pieces. In this case, even Beis Hillel would hold that בנין applies.

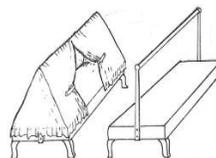
Ritva and Chidushei Ran learn that the issue is not that of building with utensils. Rather, because this menorah is made up of pieces and it requires skilled workmanship to construct, or because it must be fastened tightly, doing so would be the melacha of "מכה בפטיש", completing the form of this utensil. This view would be even in accordance with the opinion of Beis Hillel. ■

REVIEW and Remember

1. Why is a large grooved candelabrum muktza according to all opinions?
2. If R' Avahu ruled leniently like R' Shimon, why did he at times conduct himself like R' Yehudah?
3. Why is the case of the bechor different from the case of nedarim in terms of making use of the prohibited object?
4. How did Rava demonstrate that R' Shimon permits a דבר שאינו מתכוין even by a Torah prohibition?

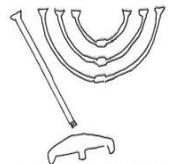
Daf DIAGRAMS

כילת חתנים



The canopy-bed comes to a pointed top, which is not a טפח wide. It is not an אהל.

מנורה של חוליות



The menorah is made from many pieces. We are concerned that if it is dropped, it will fall apart, and the person may come to put it back together, which is making a utensil on Shabbos.

HALACHAH Highlight

Using clothes that were wet during twilight, but dried out on Shabbos

דילמא בהדי דנקיט לה כבתה.

While the lamp is still lit there is the possibility that the movement will cause it to go out and unintentionally the person will have transgressed a prohibition of putting out a flame on Shabbos.

The outcome of this passage is that even a deed that is forbidden during twilight (בין השמשות) due to the concern that perhaps a transgression will result from the action results in the item being assigned the status of Muktzah during the period. Earlier,¹ we learned that Rebbi Yehudah does ascribe to the concept of Muktzah due to the possibility of an infraction. Accordingly, Rebbi Yehudah would opine that the Muktzah designation would remain for the entire Shabbos owing to the concept of מייגו דאיתקצאי לבין השמשות איתקצאי לכולי יומא (given it was Muktzah during twilight, it remains Muktzah for the entire day), even though it was prohibited during twilight solely owing to the possibility of an unintended contravention. This concept is codified in the Shulchan Aruch².

A related application would be the usability of clothes that were wet during twilight, but dried during Shabbos. As a general rule, it is prohibited³ to move soaked clothing on Shabbos because we are concerned that perhaps liquid will be squeezed out of the garments (סחיטה). Based on all the above, the Mishnah Berura⁴ writes that clothes that were truly wet during twilight, and are therefore Muktzah, retain their Muktzah classification for the entirety of the Shabbos, even after they are completely dry.

However, some contemporary authorities have challenged this ruling of the Mishnah Berura. Some Poskim⁵ remark that there

should be permissibility here due to the rule of גמרו בידי אדם (completed by human intervention)⁶, amongst other reasons. This rule denotes an exception to the rule that an item that was Muktzah during twilight remains Muktzah for the entire Shabbos. If a person was occupied with an item during twilight, at which time its state rendered it Muktzah, however it will surely be ready sometime during Shabbos, this action of preparation removes the Muktzah status once the item is ready. Thus in our case, if before Shabbos the person hung out the laundry indoors to dry or if they were placed in the laundry near a heater before Shabbos, in both cases the laundry will certainly be dry during Shabbos, the rule of גמרו בידי אדם would apply and the clothes would not remain Muktzah after they are dry. [It should be noted that some Poskim⁷ present possible responses to this correlation in defense of the Mishnah Berura.] Mention should be made that some Poskim⁸ do appear to rule strictly on this topic.

It is Rav Moshe Feinstein's opinion⁹ that this leniency applies only if the person did an action towards the drying of the laundry prior to Shabbos, but if there was wet laundry which the person forgot about, but the laundry did dry on its own during Shabbos, those clothes would remain Muktzah. ■

1 לעיל מד ע"א לגבי פמוט שהדליקו עליו בשבת

2 לדוגמה ע"י סי' שי ס"ג וס"ז. ועוד.

3 רמ"א (סי' שא סעיף מו)

4 משנ"ב (סי' שח ס"ק סג). וכן ראה בשער הציון (סי' שא ס"ק רג).

5 שו"ת מנחת יצחק ח"א (סי' פא אות ג), שו"ת באר משה ח"ב (סי' כד), שו"ת

שבט הלוי ח"א (סי' סב שאלה ג) וח"ג (סי' לג שאלה א). וכן כתב הגר"ע יוסף

שליט"א בסי' לוית חן (אות לז, עמ' מד). וכן פסק בשו"ת אגרות משה (ח"ה

מחאו"ח סי' כב אות כו) ולא הזכיר דעת המשנ"ב. ועוד. וכן ראה בשו"ת אור

לציון ח"ב (פרק כו שאלה ה', עמ' ריד) שמתיר.

6 ע"י שו"ע (סי' שי ס"ד) ובמשנ"ב שם (סי' יט)

7 ע"י שו"ת אז נדברו ח"א (סי' ה אות ה, עמ' יז) ושו"ת משנה הלכות ח"ו (סי'

סה). ואכמ"ל.

8 ע"י סי' שלמי יהודה (פרק ט אות י הערה נא) שכן פסק הגר"י אלישיב שליט"א

להחמיר. וע"י גם בסי' ששי"ב (פרק טו סעיף יז ופרק כב סעיף ג). וכן ראה

להגר"פ שיינברג שליט"א בקונטרס בעניני מוקצה בסו"ס שלמי יהודה (סי' ל).

9 שו"ת אגר"מ שם ■

STORIES off the Daf

Dirty Clothing to the Rescue

היה מאיסן בי כרעיה בטינא...איפקד רבא

One who has sullied clothing is usually an eyesore, and can even cause damage to property, as in the case of our Gemara. Even worse, a person may cause a Chilul Hashem if he is a Torah scholar, or if he represents Torah Jewry. However, sometimes there can be a positive aspect to being uncomely. The Sefer *טובך יביעו* (Parshas Vayeishev) relates an amazing example of how sullied clothing helped save the spirituality of a renowned Talmid Chacham.

The pride of the Yeshiva of Makov was a young Torah prodigy known as Reb Yitzchak'l Otvatzer. He was not only a bright and

studious young man, but he was also tall and quite handsome.

When the First World War broke out, many fathers came to take their sons home from the Yeshiva, one of them being the father of Reb Yitzchak'l. The entire Yeshiva was aghast when they saw his father. He was a small, uncomely, and gnarled man, not at all of the appearance one would expect as the father of his handsome son, Reb Yitzchak'l. Someone finally built up the courage to ask Reb Yitzchak'l about this difference between himself and his father.

Reb Yitzchak'l explained: "I am the eleventh generation following Rav Mordechai Yaffe, the illustrious author of the Levush. The Levush was an impressively tall and handsome man. When the Levush was younger, he was approached by a beautiful young gentile woman, who challenged him

in a situation similar to that of Yosef Hatzadik with the wife of Potifar. Exercising tremendous fear of Heaven, the Levush jumped into a deep pit of sewage nearby, causing the woman to become disgusted, and she backed off from her entreaties.

"It was after that incident that the Levush merited to write his famous works. It is said that the Levush credited the ten Sefarim he wrote to the ten items of clothing he dirtied at this time, which is why he called each Sefer by a title which included the word Levush (clothing). In addition, the Levush davened that for ten generations his descendants should not be handsome, so that they should not be presented with the difficult test he had to endure. I am now the eleventh generation. This explains the discrepancy in appearance between me and my father." ■

