

This month's Daf Digest is dedicated
לכבוד the Wedding of Yosef and Shoshana Sokolin
And לעלוי נשמת Israel Isser Ben Tzion ben Yaakov whose yahrtzeit is on 19 Iyar

OVERVIEW of the Daf

1) **MISHNAH:** One may not insulate pot once Shabbos has begun. A pot that was insulated and became uncovered may be covered again. It is permissible to fill a bottle with cold water and place it under a pillow or mattress.

2) Insulating cold food

Shmuel teaches that one is permitted to insulate a food that is cold even if it is the type of food one would insulate to keep warm.

Two contradictory statements are quoted from Rabbi regarding insulating cold food. The Gemara explains that initially Rabbi prohibited insulating cold food, but when he heard that R' Yosi permitted such a practice he changed his position.

R' Nachman instructed his servant to insulate cold food on Shabbos and to have a non-Jew heat water for him during the week to demonstrate that it is permitted to insulate cold food and that there is no bishul akum prohibition against a non-Jew heating water.

R' Ami objected to these practices and the Gemara explains that he felt that an important person like R' Nachman should hold himself to a higher standard.

3) Issues of insulating a pot

A Baraisa relates that the prohibition against insulating on Shabbos is limited to insulating in the first place, but once a pot was insulated it is permissible to add more insulation.

R' Shimon ben Gamliel permits replacing the old insulation with an entirely new insulation. He further rules that once the food was transferred to a second pot there is no.

The Baraisa spells out the proper way to access the food depending on what material was used to insulate and cover the pot, i.e. whether or not the insulating material is muktzah.

R' Yehudah prohibits the use of flax combings.

Placing one pot on top of another is permitted, and a dispute

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Gemara GEM

The Significance of Daru

אמר ליה רב נחמן לדרו עבדיה אטמין לי צונן

The Gemara relates that Rav Nachman told his servant, Daru, to insulate something cold on Shabbos, and to bring him water that a gentile had heated during the week. We know that the Gemara only mentions significant information. Ben Yehoyada therefore asks, why did the Gemara find it necessary to mention that Rav Nachman's servant's name was Daru?

Ben Yehoyada prefaces his answer by quoting a statement of Rav Nachman from Bava Kama (97a) who said that servants are not worth the food they are fed. The Gemara explains that Rav Nachman said this in reference to Daru, as Daru was a joker who mainly occupied himself by drinking and dancing, though his official job description was that of a servant (see Rashi, ad loc.).

Ben Yehoyada explains that we know that there are certain leniencies which are only permitted in private, and not in public. If the Gemara would not mention the name of the servant, we might have assumed that Rav Nachman only permitted these leniencies in his own home and among his own private servants, whose activities would not be known outside his house. However, the Gemara would then be difficult. Rabbi Ami protested that Rav Nachman was lenient, being that he was a prominent Talmid Chacham, and people would improperly follow other leniencies if they followed Rav Nachman. Why didn't Rav Ami realize that this was done in the privacy of Rav Nachman's home? The answer is that the servant employed by Rav Nachman for these leniencies was none other than Daru, who had no inhibitions, and Daru would certainly publicize all of the events which took place at the home of Rav Nachman. Being that the servant Rav Nachman used was Daru, it was apparent to Rabbi Ami that Rav Nachman held one could even do these things in public. ■

REVIEW and Remember

1. Who was greater: Rabbi or R' Yosi?
2. Why did the Gemara think that R' Ami should not have objected to R' Nachman's practices?
3. According to Rashi, why is it prohibited to crush ice on Shabbos?
4. What caused Rabbah bar R' Huna to become disturbed?

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Rabbi and Mrs. Makhlof Suissa
In loving memory of their mother
מרת זהור בת ר' מכלוף, ע"ה

Daf DIAGRAMS



שטמן בדבר הניטל בשבת וכיסה בדבר שאינו ניטל בשבת
The material on the side is not muktzah, but the material on top is muktzah.



רש"י ד"ה הרי - וא"ת יפנה סביבותיה וכו' ויאחזנה בדופניה

The material on the side is not muktzah. However, moving it away in order to lift the pot is not a solution, because the pot which was set up before Shabbos with muktzah material on top is now a בסיס



שם - והיכא דמגולה מקצתו אין זה טלטול, שמצדדו והכיסוי נופל מאליו

If an area of the top is exposed and not covered by muktzah, it is not considered as handling muktzah, for he simply lifts the cover and the muktzah falls off by itself.

HALACHAH Highlight

Is it permitted to pour hot water into a thermos on Shabbos?

יכן היה רבן שמעון בן גמליאל אומר: לא אסרו אלא אותו מיחם, אבל פינה ממיחם למיחם – מותר. השתא אקורי קא מקיר לה, ארתחי קא מירתח לה?

And so did Rabban Shimon ben Gamliel say that the Rabbis only prohibited insulating food on Shabbos when it is still in the same pot in which it was cooked, but if one transferred the food from the original pot into a different pot, the second pot may be insulated on Shabbos. The reason for this is that since he is knowingly cooling the food by transferring the food to another pot, is it likely that he will proceed to heat the food?

Rashi and the Rambam disagree regarding the underlying rationale of our passage. Rashi¹ learns that since the person has transferred the food from the original pot to a second pot, it is evident that he is not troubled with the food losing some heat. The Rabbis prohibited insulation out of concern that the person may actually reheat the food, thus if by pouring out the food into another vessel he represents that he is not disturbed with the food cooling down, we need not be concerned that he will reheat the food. Therefore, he may insulate the second vessel. The Rambam² however learns that the Rabbis only prohibited insulating food in the vessel within which it was cooked, but food that is in a secondary vessel may be insulated. The Shulchan Aruch³ seems to rule like the Rambam.

Pouring hot water into a thermos would ostensibly appear as an act of insulation (הטמנה), being that the thermos retains the heat of the liquid poured into it, much as garments and the like are placed around a pot in order to retain heat. The pouring of hot water from a primary vessel into a thermos would at first glance appear to be analogous to our passage, since in both cases food is being transferred from a primary vessel to a secondary vessel. However, the disagreement between Rashi and the Rambam would have practical ramifications regarding the transfer of hot liquids to a thermos on Shabbos. According to Rashi, the reason for leniency to permit insulating after the food has been transferred is because the transfer demonstrates that the person is not troubled by the cooling of the food due to the transfer. But this would not seem to be so regarding the thermos, being that the person's intent in transferring the hot liquid to the thermos is indeed to retain the heat. If so, according to Rashi, transfer to a thermos would be forbidden. On the other hand, the Rambam who explains the leniency to insulate post transfer of the liquid to be a function of having removed the food from its original primary vessel to a secondary vessel, a transfer to a thermos would be permitted because the thermos remains a secondary vessel other than the original pot. Therefore, being that the Shulchan Aruch appears to concur with the view of the Rambam, it would seem to be permitted to transfer hot liquids to a thermos on Shabbos, and such an act would not constitute insulating (הטמנה). This

(Insight...continued from page 1)

regarding insulating cold food is recorded.

The Baraisa concludes with the prohibition against crushing snow or hail so that water should flow out.

הדרן עלך במה טומנין

4) MISHNAH: The Mishnah lists particular items that may remain on specific animals when they walk into in a public domain. Additionally, the Mishnah rules that collars may be sprinkled and immersed for tahara purposes while still on the animal's neck.

5) Clarifying the Mishnah

The Gemara explains some of the examples mentioned in the Mishnah.

Rebbi was asked whether a camel may go into a public domain with a nose ring. Perhaps since it is an excessive restraint it is deemed a burden rather than a garment.

The Gemara declares that the issue is a matter of debate between Tannaim. In the name of Shmuel, it is ruled like the lenient opinion of Chananyah that an excessive restraint is not a burden. ■

perspective is espoused by the Chazon Ish⁴. Although there are Poskim⁵ who did indicate a strict ruling regarding thermos use on Shabbos, the lenient opinion is held by many contemporary Poskim⁶.

In addition to the above mentioned reasoning for leniency, additional reasons were presented by the Poskim. The Chazon Ish⁷ explains that it is possible that the Rabbinic interdiction against insulating pots was specific to insulating with garments and the like. However, when the vessel itself has insulation built in it, placing food in such a vessel would not constitute an act of insulation, because in the end, all vessels preserve that which is within from cooling quickly. Rav Moshe Feinstein⁸ points out that merely pouring the liquid into the thermos is not an act of insulation, because in that matter the thermos is no different than any other vessel. If any act could be identified as the act of insulation, it would be the insertion and sealing of the cap. However, that act alone can not be forbidden, since that act, as the act of covering of any vessel, has more than one purpose; for example the sealing of the thermos prevents spillage or the incursion of bugs and the like. Therefore, the cap may be inserted and sealed as may the cover of any pot. ■

1. רש"י כאן ד"ה לא אסרו
2. רמב"ם (פ"ד מהל' שבת ה"ה)
3. שו"ע (סי' רנז סי"ה) ובמשנ"ב שם (סי"ק כח). ע"י בשו"ת אגרי"מ (ח"א מחא"מ סי' צה) בזה
4. חזו"א (אור"ח סי' לו סי"ק לב, דף נו סו"ע"א)
5. ע"י לה"י צירלסאהן בשו"ת בערכי לב (בהשמטות סי' ה') הוב"ד בשו"ת יביא אומר ח"א (תא"מ סי' נה) וע"י שו"ת שבט הלוי ח"א (סי' צג) ואכמ"ל
6. סי' קצות השלחן (סי' עא בבדי השלחן אות לו, דף ח ע"ב), בס' דרכי חיים ושלום (סי' צה), שו"ת אז נדברו ח"ג (סי' עד), שו"ת באר משה ח"א (סי' יב), שו"ת אז נדברו ח"ג (סי' יז), שו"ת מנחת שלמה ח"ב (סי' ח שאלה א), שו"ת אור לציון ח"ב (פרק יז שאלה יא), שו"ת ציצ' אליעזר ח"א (סי' כט), שו"ת יביע אומר ח"א (תא"מ סי' יד) ובס' לוית חן (אות ד), שש"כ פרק א (ס"ע) ועוד
7. חזו"א שם
8. שו"ת אגרות משה (ח"א מחא"מ סי' צה ד"ה אבל ליתן) וכן כתב הגר"ע יוסף שליט"א בשו"ת יביע אומר ח"א (תא"מ סי' יד אות ט) ע"ש ■

Distinctive INSIGHT

Resting Livestock

יוצא הגמל באפסר ונאקה בחטם ולובדקים בפורמביא וסוס בשיר

The Pnei Yehoshua explains that having one of these animals go out in the public domain with the particular equipment listed is only a rabbinic violation of Shabbos. The Torah only forbids a person from arranging that his animal

does an activity such as plowing or carrying packages that are forbidden for a person to do due to their being laborious. The Pnei Yehoshua reinforces his opinion by pointing out that it is permitted to have one's animal graze on grass on Shabbos. He cites the verse (Shemos 23:12) which states: "and on the seventh day you shall abstain from work, so that your ox and donkey may be at ease." Rashi comments: "למען ינוח" – Let the animal be at ease. The verse is hereby permitting the animal to pluck and eat grass from the ground. To confine the animal to re-

main indoors would be cause it to have pain, and not to be at ease." Therefore, it would not be a Torah violation for an animal to walk into the public domain with decorative or ornamental accessories, just as it would be permitted for that animal to be loaded with equipment necessary to guard that it not run away and be endangered.

There are many opinions of the Rishonim (Ramban, Rashba, et al., in their comments to Shabbos 153b) that clearly hold that the prohibition of having an animal carry items is, in fact, a Torah prohibition. ■

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