

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) Defining כבול

Shmuel disputes the meaning of the word כבול as explained by R' Avahu and states that it refers to a slave's emblem.

A contradiction is pointed out regarding Shmuel's position from another quote where he permits a slave to go out with an emblem on Shabbos. The Gemara resolves the discrepancy by differentiating between an emblem made by the slave himself, which he might remove, and an emblem made by his master. If the emblem furnished by the master were to get lost, the slave may fold the garment and wear it in an unusual fashion, which is prohibited, to hide the loss of the emblem from his master.

Shmuel ruled that a slave may go out with an emblem around his neck, and this ruling is supported by a Baraisa. There is, however, a contradictory Baraisa which prohibits a slave to go out with an emblem around his neck.

The discrepancy is resolved by distinguishing between an emblem made from clay and one made of metal. The clay emblem is not outlawed, because the owner won't mind if it is lost. However, the metal one is outlawed, because were it to become detached the slave may carry it home from fear that the owner would be upset.

2) Wearing a bell

The Gemara questions the distinction made in the previously quoted Baraisa between a bell worn around the slave's neck, which is outlawed, and a bell worn on the slave's clothing, which was not outlawed.

The Gemara answers that the case which is permitted refers to where the bell is sewn onto the garment.

3) The tum'ah of a bell

The above cited Baraisa rules that animal bells are susceptible to tum'ah, while another Baraisa rules that they are not. The Gemara distinguishes between a bell with a clapper, which is susceptible to tum'ah, and a bell without a clapper, which is not susceptible to tum'ah.

The Gemara questions why the above cited Baraisa rules that if the clapper was removed from the bell the bell is still susceptible to tum'ah since it is no longer usable as a bell.

Abaye suggests that since it can be easily repaired the bell does not lose its status as a utensil when the clapper is removed.

Rava demonstrates that even utensils that could easily be repaired lose their status as utensils when pieces are detached. ■

Today's Daf Digest is dedicated by Mr. and Mrs. Ira Kirsche
In loving memory of their father ר' שלום בן ר' יצחק, ע"ה

Today's Daf Digest is dedicated by Mr. and Mrs. Myron Cherry
In loving memory of their mother, Mrs. Frances Cherry, ע"ה

Distinctive INSIGHT

To wear the emblem with pride

הא דעביד ליה רביה וכו'

Shmuel taught that a slave may go out into the public domain wearing the emblem which identifies him as a slave, if the emblem was made by his master. However, if the emblem is one which the slave made on his own, he may not go out with it on Shabbos.

What is the reason he may not wear the emblem which he fashioned by himself? Rashi and Ran say that because he made it himself, we assume that he is not pressured to wear it. He therefore might take it off, and carry it in the street. The Levush explains a bit differently. Because he made it himself, his master does not really care that he wears it or not. Therefore, this emblem serves no functional purpose. It is therefore a משאוי—an accessory and not part of his uniform. The halacha considers this unnecessary to his apparel needs, and it is considered a Torah violation of carrying even if he does not take it off and carry it inadvertently.

Rashi and Ran apparently hold that even though his master does not insist that the slave wear this emblem, it still serves a purpose by displaying that he is a servant. According to Rashi and Ran, this emblem is considered part of his clothing needs. However, we are afraid that he may take it off and carry it. There is a rabbinic ruling prohibiting his wearing such an emblem.

Eliyahu Rabbah points out that the Mishnah only prohibited wearing this item in the public domain, but it allows it in a courtyard which has no eiruv. According to Rashi and Ran, we can say that the rabbinic prohibition does not apply in a courtyard. But according to the Levush, it is a bona fide משאוי and should be prohibited in a courtyard as well as in the public domain.

We must say that even according to the Levush, this self-made emblem does serve some minimal purpose as part of the uniform of the slave. It is not a formal and official part of his array of garments, but it does serve some purpose. Therefore, it is permitted to be worn in a courtyard. (See תד"ה הא דעבד. ■

REVIEW and Remember

1. Under what circumstances is wearing a garment folded over one's shoulder a Biblical violation?
2. Is a utensil made of clay susceptible to any sort of tumah?
3. What makes a bell susceptible to tumah?
4. Why is a bell worn on children's clothing different than a bell worn on adult's clothing?

HALACHAH Highlight

Soldiers wearing dog tags and people wearing organizational pins on Shabbos

אמר שמואל: יוצא העבד בחותם שבצוארו, אבל לא בחותם שבכסותו ... לימא הא דעבד ליה רביה, הא דעבד איהו לנפשיה. לא! אידי ואידי ליה רביה. וכאן בשל מתכת, וכאן בשל טיט

Shmuel said: A slave may go out to a public domain on Shabbos with a symbol around his neck. However, he may not go out with the symbol on his cloak. ... Let us say that if the symbol was made by his master he may go out with it, but if it was made by the slave himself, he may not. No! In both cases we can say that the symbol was made by the master. The slave may wear it out if it is made of clay because the master will not complain if it is lost. However, if it is made of metal he may not wear it out, because the master will object if it is lost, and we need be concerned that the slave may carry it if it becomes detached.

The Rishonim vary in their understanding of the final outcome of this passage. Interestingly, the Beis Yosef¹ comments upon the Ba'al HaTurim's discussion of this topic that "since these laws are not common [in our days], I will not elaborate upon them." Indeed, he makes no mention of the Halachic outcome of this passage in the Shulchan Aruch. However, the Rema² does codify this passage in his glosses to the Shulchan Aruch.

Present-day authorities did find application of our passage in certain modern situations. The first is the question of whether a soldier may wear identification tags (commonly referred to as dog tags) into a public domain on Shabbos. Dayan Yitzchak Weiss³ was asked about this, and he responded that the identification tags may not be worn. He reasons that the tags serve neither as a garment, nor as an ornament, and therefore may not be worn out into a public domain. However, another contemporary authority⁴ challenges this. He cites the language of the Ohr Zaruah⁵ who explains that a slave may go out wearing his slave insignia because, being that he wears it all week, it attains the sta-

tus of a garment. This suggests that an item that is normally worn throughout the week may be worn as well on Shabbos, even though it does not cover the body, nor protect the body, nor serve as an ornament⁶. Thus, identification tags that are worn all week long do attain the status of a garment and may be worn out into the public domain on Shabbos. Rav Shlomo Zalman Auerbach⁷ rules leniently for a different reason. The identification tag contains important information about its wearer, such as name, blood type etc. Being that the tag serves an important role in maintaining the welfare of the soldier in case he is wounded, Rav Auerbach posits that it may be worn on Shabbos.

In a somewhat related association of our passage, the Poskim deliberate the permissibility of wearing a badge or pin that identifies the wearer as a member of a particular movement or organization, or similarly the wearing of achievement pins. Are these to be considered akin to the insignia worn by the slave? The Poskim⁸ explain that these emblems or badges can not be compared to the insignia of the slave. Although both are intended to serve as an identifier, yet there exists a clear distinction. The slave wears the insignia to identify himself as a slave, and as such the slave's symbol cannot be categorized as an ornament. However, people wear organizational pins and badges happily as a statement of proud affiliation or achievement. As such, the pin serves as an ornament, especially since it is attached to a garment. Therefore, such a pin may be worn out into the public domain on Shabbos, even where there is no Eruv. ■

1. ב"י (ריש סי' ד"ש)
2. רמ"א בהגה (סי' ד"ש סי"א)
3. שו"ת מנחת יצחק ח"ז (סי' יב אות א')
4. רבי משה לוי בסי' מנחת אהבה (פכ"ז סל"ז ובהערה 106)
5. אור זרוע ח"ב (סי' פד אות ג)
6. גם בשו"ת חלקת יעקב ח"א (סי' סז אות ד) כתב לדייק כן מהאור זרוע. והם שני חכמים בסגנון אחר
7. הוב"ד בסי' שש"כ (פי"ח סכ"ב ובהערה צא, עמי ער"ב) והן כתב בסי' ילקוט יוסף (כרך ב' מהל' שבת סי' שא אות ט', עמי נה)
8. עיי' לרבי משה מרדכי עפשטיין בשו"ת לבוש מרדכי (סי' ב אות ח) ובסי' שמירת שבת כהלכתה (פרק יח סכ"ה ובהערה קג, עמי ר"ג) שכתבו להקל. אמנם עיי' בשו"ת מנחת יצחק ח"ג (סי' כו אות ט שמסתפק בדבר) ■

Gemara GEM

The lips quiver in the grave

הזוג והעינבל שהוא טמא

The Gemara (Yevamos 96b) tells us that Dovid HaMelech prayed that when words of Torah he taught would be repeated after his death, that the speaker would always attribute those Torah thoughts to him. This is the request Dovid had in mind as he said (Tehillim 61:5): "May I dwell in Your tent for both worlds." In fact, the Gemara tells us that when Torah is repeated and is properly attributed to the one who taught that Torah thought, the lips of the teacher quiver in the grave, as it says (Shir Hashirim 7:10): "Causing the lips of the sleepers to speak." What benefit is there for those who have already died for their lessons to be repeated in this world?

The verse states (Devarim 7:11): "You shall observe the commandment today, to perform

them." From this verse, the Gemara (Avoda Zara 3a) concludes that the performance of mitzvos is in this world, but the reward will be in the World-to-Come. As much Torah a person can fulfill while still in this world, to that extent he will have earned merit for the next world. A person in this world is called a "הולך—one who walks". We are always continuing and moving along on our path, with more opportunities for accomplishment every day. However, in the next world a person is referred to as being an "עומד—one who is standing".

There is no longer any ability to move ahead once one's sojourn in this world is ended. Whatever has been accomplished remains status quo, and his position is set.

Our Gemara determines that a bell and its clapper are כלים (utensils), and they are susceptible to the laws of tum'ah. Although they only serve to make a noise, based upon the verse in Bemidbar 31:23, this "voice" which it makes qualifies the bell to be a utensil. If the clapper is removed, the outside shell is

no longer able to make a noise as it was designed. However, it is still a utensil, as the Gemara explains, because it can be sounded by knocking it against a piece of pottery. We see that if it can be heard by being shaken by another object, even if it is not its own clapper, it is still considered as if the bell is still functional.

A person can speak and teach while he is alive and living in this world. After he passes on, the body can no longer speak on its own accord. Yet, the lesson we see from this Gemara is that if the students continue to resound with the Torah lessons which they heard from their rebbe, it is considered as if the rebbe himself continues to speak, even as he lies in his grave.

This is what Dovid Hamelech had in mind in his prayers. He yearned for the Torah he taught to be quoted in his name so that he be credited with the mitzvah of teaching Torah in this world and in the next. ■

