

OVERVIEW of the Daf

1) Clarifying the Mishnah (cont.)

Three explanations are presented to explain the first case of the Mishnah. The first two are rejected. The third explanation, presented by Abaye, explains that the threshold is a karmelis, thus a Biblical violation cannot take place. Two reasons are given why there is no fear the scroll will be carried from the public domain into a private domain.

The Gemara questions the permissibility of turning the scroll onto its written side.

An explanation is given as to why in this circumstance turning the scroll onto its written side is permitted.

The Gemara wonders why, according to Tanna Kamma, it is prohibited to gather in the sefer that hangs within ten tefachim of the ground. Since it is dangling rather than at rest, a Biblical prohibition cannot be violated.

Rava answers that the Mishnah refers to a case where the sefer is indeed at rest because the wall beneath it is sloped.

Abaye unsuccessfully challenges this explanation.

2) MISHNAH: The Mishnah teaches the law relevant to a ledge that extends beneath a window.

3) Clarifying the Mishnah

Abaye explains that the ledge discussed in the Mishnah extends over the public domain and the reason there is no fear that he will retrieve an item that falls off the ledge is that the Mishnah refers to breakable utensils.

A Baraisa is cited that supports this explanation.

The last case of the Baraisa is explained.

4) MISHNAH: It is permitted to stand in one domain and move an object that rests in another domain. It is prohibited to urinate or spit into another domain. R' Yehudah rules that it is prohibited to walk four amos in a public domain with saliva that is collected in one's mouth.

5) A second version of the Mishnah

R' Chanina bar Shlamya taught that it is prohibited to stand in one domain and move an object in another domain.

Rav criticized R' Chanina bar Shlamya for this teaching and the Gemara explains why R' Chanina bar Shlamya taught the Mishnah as he did. ■

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Gemara GEM

Covering Seforim and turning them upside-down

חוץ לארבע הופכו על הכתב
רש"י להפוך - יריעת קלף על פניה להגין עליה שלא יעלה אבק על האותיות:

The Shulchan Aruch (Yoreh Deah 297:1), on the basis of our Gemara, rules that a scribe who has written a scroll for a Sefer Torah and must now leave it to dry should not turn it upside down – even if he is doing so to protect it from dust – because this is degrading the scroll. Rather, he should leave the scroll right-side up and cover it with a cloth.

The Shach (loc. cit.) writes that the Bach in the name of the Yerushalmi (Megillah) maintains that a person should never leave a room leaving a book uncovered – and not just a Sefer Torah, but also other Seforim. The Shach himself writes that this is evident from our Gemara, independently of the Yerushalmi. He continues to write that it is "known" that there is an angel called SHeD – Shin-Daled, short for SHomer Dapim – that causes anyone who leaves an open Sefer to forget his learning.

The Bigdei Shesh suggests that the question of whether there is an obligation to treat with respect Seforim other than those that contain passages from Tanach depends on the interpretation of the Yerushalmi here, Eruvin 10:3 (60b). The Yerushalmi here says: ר' יוסי אומר בשם ר' יוחנן לא סוף דבר ספר אלא אפילו פסוקיא. R' Yose in the name of R' Yochanan said: Not only a Sefer, but even Pesukya. Some authorities (such as Korban HaEdah, Pnei Moshe and Mashbi'ach) understand Pesukya to refer to selections of pesukim, as opposed to entire Sifrei Kodesh. Other authorities (such as Gilyonei HaShas and Sha'are Toras Eretz Yisroel) understand Pesukya to refer to a belt.

According to the former authorities, it would seem that the Yerushalmi is limiting the permissibility to roll up the spooled-out scroll back to scrolls that contains sections of Tanach – implying that any Sefer of lesser sanctity need not be treated as respectfully.

However, according to the latter authorities, the Yerushalmi even permits one to roll back a spooled-out belt, implying that certainly anything of greater sanctity – and certainly Seforim – can be rolled up out of respect. ■

REVIEW and Remember

1. According to Rabbah, why is it permitted to roll a scroll?
2. Why in the case of the Mishnah is it permitted to turn the scroll onto its face?
3. Why does R' Yehudah permit rolling up a scroll that dangles in the airspace of a public domain?
4. What is the novelty of the Mishnah's ruling permitting a person standing in a private domain to move an object in a public domain?

HALACHAH Highlight

Throwing and dropping sacred items

זאת אומרת אין מזרקין כתבי הקודש

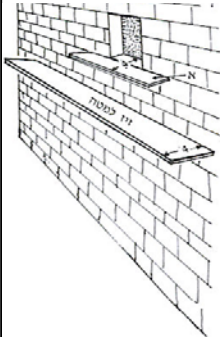
This indicates that it is prohibited to throw sacred writings

R' Acha bar Yaakov states that it is evident from our Mishnah that it is prohibited for one to throw sacred writings - **כתבי קודש** - even during the week. For that reason there is no concern that a person will throw a sefer Torah that fell in the public domain to a karmelis. Poskim debate whether one can use this inference as the source for the prohibition that one may not throw a sefer Torah or sacred writings and the severity of the disgrace when they are thrown or they fall. Magen Avrohom¹ suggests that the Gemara is a partial support for the practice of fasting when one's tefillin fall and the same is true when a sefer Torah falls. Sefer Kapos Temarim² writes that the reason people fast when they drop their tefillin is that it is a disgrace to the tefillin. He cites as proof the Gemara in Sukkah (41b) that prohibits one from holding tefillin while reciting the amidah and Rashi³ explains that the injunction is based on the concern that one will drop the tefillin and thereby disgrace them. Once we know that it is disgraceful to the tefillin for them to be dropped it follows that one should fast if he causes such a disgrace.

Rav Moshe Feinstein⁴ wonders why it was necessary to search for a source that dropping a sefer Torah or tefillin is disgraceful when it is evident from our Gemara that states that one may not throw a sefer Torah and certainly one may not throw a sefer Torah on the ground. Furthermore, it is logical that dropping a sacred item is

Distinctive INSIGHT

אמר אביי...ועליון לית ביה ד' וחלון משלימתו לד' כנגד חלון משתמש
דחורי חלון הוא דהאי גיסא ודהאי גיסא אסור



A Baraisa ruled that when there are two ledges, both of which are higher than ten tefachim from the ground, it is permitted to use the entire area of the lower ledge on Shabbos, but one may only use the area of the upper ledge that is opposite the window. Abaye explained that the Baraisa refers to where the lower ledge is four tefachim wide, but the upper ledge is not. However, the part of the ledge that is opposite the window combines with the width of the window to complete the four tefach requirement, therefore, it is permitted to use only that part of the ledge that is opposite the window. ■

worse than throwing it since one could throw the sacred object to a clean place as opposed to one who drops it where he has no control over where it will fall. He then suggests that perhaps Sefer Kapos Temarim assumed that our Gemara refers specifically to an open sefer Torah and that is why he felt compelled to turn to the Gemara in Sukkah. ■

¹ מג"א סי' מ"ד סק"ה.

² כפות תמרים לסוכה מ"א: ד"ה מיתבי.

³ רש"י שם ד"ה לא.

⁴ שו"ת אג"מ או"ח ח"ג סי' ג'.

Distinctive INSIGHT

Proper respect for seforim

אמר רב אדא בר אהבה זאת אומרת אין
מזרקין כתבי הקודש

This Gemara is one of the sources from where we learn that it is prohibited to throw holy scrolls and books because it is considered disrespectful to do so. This is why, in our Gemara, we do not suspect that the person will toss a holy scroll from the public domain into the private domain. Maharil also derives from this Gemara that it is inappropriate to place seforim on the same bench where people are sitting. Rather, the seforim should be placed on some surface or on some other object sitting on the bench which raises the seforim off the sitting surface by a tefach (see Shulchan Aruch Yoreh De'ah 282). Shach

(ibid. #8) notes that when the beis midrash is crowded, and it would be impossible to lift seforim on the benches to a height of a tefach above the seating area, it would be permitted to sit on a chair with a sefer placed upon it.

A sefer should also be handed directly from one person to another, and never be thrown through the air. Aruch HaShulchan (ibid. #23) elaborates in this regard. If a person is learning from a sefer, and he wants to prop it up, he should not take other sefarim and place them underneath the one from which he is learning, because it is disrespectful to use a sefer as a brick. However, if a sefer or a pile of sefarim is already laying on the table, it is permissible to place his sefer upon the pile as he studies. This is not a case where he uses the seforim improperly. Also, if a person is studying, and several seforim pile up on his table, this is not a problem. It is not allowed,

however, to use one sefer as a bookmark to hold the place in another sefer, unless he is studying with both. One may also place papers with Torah notes in his sefer.

A question was asked (שו"ת אמרי) whether it is allowed to send a sefer Torah in the mail, because it is possible that the sefer Torah might be tossed about by the mail personnel. The answer given was that once the sefer Torah is wrapped up in a package, this concern is no longer a problem. The issue of tossing a sefer Torah is only when the sefer itself is being treated disrespectfully. However, once it is placed into a cover (other than the Torah cover itself), its being handled roughly is not a reflection of disrespect for the sefer Torah. Nevertheless, it is better to send a sefer Torah not only wrapped up, but within a special box, if at all possible. ■