

OVERVIEW of the Daf

1) Activities that should not be started before Shabbos

Following the opinion of Beis Hillel, a Baraisa permits putting food into a courtyard for a dog or handing food to a non-Jew in a courtyard.

A Baraisa prohibits renting utensils to a non-Jew on erev Shabbos because it appears as if he is renting him the utensil for Shabbos. Similarly, a letter should be given to a non-Jew on erev Shabbos for delivery.

A second Baraisa relates that the parameters for sending a letter before Shabbos are a matter of dispute between Beis Shamai and Beis Hillel.

The Gemara lays down the guidelines for sending a letter before Shabbos.

A Baraisa prohibits embarking on a boat less than three days before Shabbos. Similarly another Baraisa prohibits laying a siege three days before Shabbos.

2) Giving clothing to a non-Jewish launderer before Shabbos

A Baraisa echoes R' Shimon ben Gamliel's statement in the Mishnah that in his father's home they wouldn't give white garments to a launderer three days before Shabbos and adds that colored garments could be given to the launderer even on Friday.

Abaye, using the knowledge acquired from the Baraisa, was able to catch a launderer trying to overcharge him. Additionally, Abaye advises measuring a garment before it is dropped off and after it is picked up to determine if any damage was done.

3) Placing a beam on chopped fruit erev Shabbos that will continue to be pressed on Shabbos

The Gemara explains that the reason Beis Shamai agrees in the case of the beam being placed on the chopped fruit is because even if one were to place the beam on the fruit on Shabbos it would not violate a Torah prohibition and therefore there is no reason to make a decree.

The author of this opinion, that if the liquid would come out on its own even if it is pressed excludes the possibility of violating the Torah prohibition, is disputed. Different Amoraim attribute it to different Tannaim.

4) Three disputes between Rav and Shmuel regarding muktza

The first dispute is whether the oil given to the presser and the mats are muktza.

The second dispute is whether the mats used to cover merchandise on a ship are muktza.

R' Nachman teaches that there is a dispute regarding animals set aside for a purpose other than for slaughter. Rav maintains they are muktza and Shmuel differs.

These disputes regarding muktza, says the Gemara, is the same dispute as R' Yehudah and R' Shimon.

Two incidents related to students following their own ruling are recorded.

5) MISHNAH: The Mishnah discusses cases involving starting a cooking or baking process before Shabbos that will continue into Shabbos. A related case involves the permissibility of lighting a fire before Shabbos that will not catch entirely when Shabbos begins. ■

Distinctive INSIGHT

Sale of Utensils and of Animals

לא ישכיר אדם כליו לנכרי בערב שבת וכי

The Gemara presented the opinion of Rav Yosef on 18a. He explains that the view of Beis Shamai who prohibit כלים שבינת כלים do so as a Torah level law. This means that when a utensil or animal is still owned by a Jew, the Torah legislates that we cannot have it do work on Shabbos. In a parallel case, the Gemara in Avoda Zara does not allow us to lend or rent a bull or cow to a gentile. Rabbinically, we also do not allow outright sales of utensils or animals to a gentile. Accordingly, Beis Shamai should not allow a Jew to sell items to a gentile before Shabbos, even if the gentile arrives at his destination before Shabbos. Yet, we do not find any source which suggests this to be the case. In fact, the Baraisa on 19, which is the view of Beis Shamai, holds that it is only prohibited to rent an animal to a gentile, where the animal remains the possession of the Jew, but an outright sale is allowed.

Rosh, citing the Rif, points out that the rule of Beis Shamai, who prohibit usage of one's utensils to continue to do work on Shabbos, is only true when the work being done is work for a Jewish person. However, if the labor which is done by the utensil or the animal in this case, is labor for a gentile, even Beis Shamai does not prohibit it.

Another distinction is that, indeed, selling an animal is rabbinically prohibited lest a person come to rent or lend an animal to a gentile. However, this is the case when we are dealing with an animal, and not by utensils. Animals are larger and more valuable

Continued on page 2)

REVIEW and Remember

1. Why does the Baraisa mention the permissibility of giving food to non-Jews as well as animals?
2. When is it permitted to begin a boat trip within three days of Shabbos?
3. How did the launderer try to steal from Abaye?
4. Why was the student acting incorrectly when he ruled like R' Shimon?

Today's Daf Digest is dedicated in memory of
Matilda Montefiore Massel, Mesuda bat Moshe,
on the yahrzeit of her passing,
by Caroline and Morris Massel.
May her neshama go higher and higher and be a continuing source
of inspiration.

HALACHAH Highlight

The status of transferring between two private domains by way of a public domain

תנו רבנן: ... נותנין מזונות לפני הנכרי בחצר. נטלו ויצא - אין נוקקין לו.

Our Rabbis taught: One may place food before a gentile in the courtyard. If the gentile picks up the food and leaves - we need not be occupied with him.

Tosafos Yeshanim¹ here discusses a case in which a gentile who had become ill demanded from a Jew to send him some of the Jew's wine, and if not he would die. This event took place on Yom Tov. It must be mentioned that this particular gentile was a powerful person in the city. Permission was granted to the Jew to send the wine on Yom Tov with a gentile, in order to maintain good relations between the Jews and gentiles. Tosafos quotes the opinion of Rav Yitzchak who permits sending the wine with another gentile even on Shabbos under similar conditions. Thus, if the gentile requesting the wine is known as a bellicose individual, in order to maintain favorable relations with the gentiles, one may have another gentile carry the wine even on Shabbos. Tosafos adds that this permissive ruling is only according to the opinion that there is no public domain today that conforms to the Torah origin requirement of 600,000 people traveling over it each day. [See Daf Yomi Digest (Shabbos 6).]

However, Rav Ovadiah Yosef² notes that such a situation may be permitted even according to the opinion that defines a Scripturally defined public domain as any thoroughfare that is 16 Amos (approximately 24 - 32 feet) wide. This would accord with the opinion of the Ramban³ that carrying from one private domain to another private domain by way of a public domain is only prohibited by Rabbinic sanction, being that there was no placing (הנחה) of the item in the public domain. Consequently in our case, if the

(Insight...continued from page 1)

types of property. It is therefore known that the owner was a Jew. However, when it comes to utensils, the previous ownership is not information which is well known. It is not necessary for the rabbis to include prohibiting selling of utensils to safeguard the case when utensils are rented or given to borrow. ■

transfer is actuated by a gentile then there are two actions prohibited by Rabbinic injunction: the first being to request of a gentile to transfer the object for him, and the second being the transfer between two private domains through a public domain. Even if the gentile will stop and put down the item in the public domain, thereby performing a placing act (הנחה), it would still remain permitted being that the gentile did this of his own volition and for his own benefit. An act of double Rabbinic sanction (שבות דשבות) in order to preserve positive interaction between Jew and gentile would be permitted. It must be noted that Tosafos⁴ disagrees, and states that the transfer between two private domains by way of a public domain is Scripturally forbidden. Nonetheless, numerous authorities⁵ disagree with this view and opine that such an action is only forbidden by Rabbinic interdiction. Hence, even according to those who hold that our present day cities have Scripturally defined public domains, in a case such as the one described in Tosafos Yeshanim there would be sufficient grounds to permit the action by a gentile. [Elsewhere⁶, Rav Ovadiah Yosef utilizes a related reasoning to explain a present day practice common in Israel.] ■

1. תוס' ישנים כאן (ד"ה כתוב) בשם הא"י

2. מאור ישראל כאן (ד"ה בתוס' ישנים)

3. רמב"ן (שבת צג ע"א ד"ה אילימא)

4. תוס' (עירובין לג ע"א)

5. ע"י רשב"א (שבת צז ע"א) שכתב על דברי התוס' שאין זה מחזור כלל. וכ"כ עוד בעירובין (לג ע"א). וכ"כ הרשב"א והר"ן (עירובין לג ע"א). וכן תפס בפשיטות הט"ז (סי' שמו ס"ק ד) כדעת הרמב"ן והרשב"א וכ"כ בשו"ע הגר"ז (סי' שמו ס"ט). וכן פסק החזון איש (סי' קג אות יט). ועוד.

6. שו"ת יביע אומר ח"ו (חא"ו"ח סי' כד אות ב) ■

STORIES off the Daf

Induced Labor to Avoid Chillul Shabbos?

תנו רבנן אין מפליגין בספינה פחות משלשה ימים קודם לשבת

One of the lessons of this Gemara is that we must anticipate the Shabbos several days ahead of time, and we must prepare and plan how we will enjoy its radiance and to avoid its desecration. Included in this is avoiding entering a situation where it will later be difficult to stop its violations, such as if someone will be on a ship that is traveling on Shabbos.

The question was asked of R' Menashe Klein about a woman who is in her ninth month of pregnancy. Without any special

intervention the birth could very well be on Shabbos, and it would be necessary and appropriate to do everything necessary for the health and welfare of the mother and baby. However, it is possible for doctors to administer a drug and induce the delivery in a timely manner so that all violation of Shabbos can be avoided. Is it recommended, from a Shabbos perspective, to schedule the delivery to be early in the week?

HaRav Klein responded that it is clear that one cannot place himself into danger. Although dangerous situations may come by themselves, we cannot introduce ourselves into such conditions intentionally. Our sages have compiled a list of many different situations and prohibited them because they are dangerous (see Shulchan Aruch Y.D. 116, and C.M. 427).

Labor and delivery is a dangerous condition. Even travel itself is dangerous, but this is the way of the world, and a person can travel when necessary. Birth is in the hands of Hashem. When the time comes, miracles occur for the mother and the baby. We witness bracha and hatzlacha as Hashem uses the key of life which is in His hands alone, and the way is paved for a new life to enter this world.

To induce labor is adding extra measures of complication, and it increases the danger as it artificially advances the natural time framework of events. It is not necessary, and it is in fact wrong and therefore prohibited to pre-empt the birth, even as a Shabbos consideration, and certainly not for simply personal convenience or for financial considerations. ■

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