

## OVERVIEW of the Daf

### 1) Shattered barrel lids (cont.)

R. Pappa explains that the Baraisa means to rule that if one threw the shattered lid into a trash heap before Shabbos it is prohibited for use on Shabbos.

### 2) Broken items

Bar Hamduri in the name of Shmuel rules: Shreds that become detached from a reed mat on Shabbos are not muktza. The reason is that they still serve their function of covering dirt.

R' Zeira in the name of Rav rules: Remnants of a talis are muktza if they are less than three by three fingerbreadths.

A Baraisa records a dispute between R' Meir and R' Yehudah concerning broken shards from an old oven. According to R' Meir they are not muktza, and according to R' Yehudah they are muktza.

Abaye and Rava suggest explanations for the point of dispute between the two opinions, but both explanations are rejected.

R' Ashi explains: The dispute is whether a broken shard has to be usable in a similar fashion to its original use, and the issue at hand is where the shard could be used as a baking tile. According to R' Meir, as long as the shard could be used for something it is not muktza but R' Yehudah maintains it must resemble its original function, and utilizing the shard as a baking tile is different than its use as an oven.

Ravina points out that the custom in Mechasya to move pot covers without handles is consistent with the opinion of R' Eliezer ben Yaakov quoted in the earlier cited Baraisa.

**3) MISHNAH:** The Mishnah discusses moving items that are made of muktza and non-muktza components. A dispute is recorded concerning the use of a window shutter on Shabbos.

### 4) A stone on the opening of a barrel

A Mishnah rules that if a stone is on the opening of a barrel, the barrel may be tilted to remove the stone. Rabbah and R' Yosef agree that the Mishnah's ruling applies only where one forgot the stone on top of the barrel. They disagree concerning one who intentionally left the stone on top of the barrel. According to Rabbah, the barrel becomes a base for a muktza item and may not be moved. According to R' Yosef, the stone is seen as a cover for the barrel and may be moved directly.

Rabbah and R' Yosef each resolve potential challenges to their positions.

The Gemara explains: The issue under dispute is whether the designation of a rock as a utensil requires a specific act or not.

A story, with three different versions, is recorded where this same issue is disputed.

### 5) Tying the vine to a pitcher

The Mishnah that requires tying the vine to the pitcher is seemingly at odds with the opinion of R' Shimon ben Gamliel who, in a different case, does not require tying the vine, but rather holds that intent to use it on Shabbos is sufficient.

R' Sheishes and R' Ashi offer suggestions why R' Shimon ben Gamliel would agree that the vine must be tied to the pitcher to render it non-muktza.

### 6) Adding to existing structures

Rabbah bar bar Chanah in the name of R' Yochanan explains: Everyone (R' Eliezer and Chachamim) agree that it is prohibited to build a temporary structure on Shabbos or Yom Tov. They argue whether it is permitted to add to an existing structure. R' Eliezer pro-

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## Gemara GEM

### The Status of the Lid of a Broken Barrel

אם זרקת מבעוד יום לאשפה אסורה

Rav Pappa teaches us that if a person tosses a lid of a broken barrel into the garbage before Shabbos, he thereby indicates that this piece of earthenware does not serve as a functional utensil for him. Consequently, this item is now muktza. Ritva explains that if the item was clearly designated as a useful utensil before Shabbos began, tossing it into the garbage does not remove its designation as such, and it is not muktza. This is the classic case to which the Gemara refers as it mentions a case of a person who discards his shirt into a refuse pile. The shirt does not lose its status just because it was thrown away by its owner. However, some items are only considered utensils in the first place due to their being associated with a larger utensil. For example, this lid functions as being useful only when it is together with the barrel. In this case, the very tossing of it into the garbage disassociates it with its parent utensil. This can affect its status as a utensil vis-à-vis Shabbos. If it had a status of being a utensil at the onset of Shabbos, then it cannot lose this label just by being thrown out on Shabbos. A shirt, however, has its own independent status as a כלי, and it does not forfeit this identity just because the owner throws it into the garbage, even if it was discarded before Shabbos.

As explained by רא"מ הורוביץ and others, throwing a quasi-utensil into the garbage is a declaration of a mind set, and once Shabbos begins and this lid was already in the category of being a bona fide utensil, we do not recognize this declaration change to occur on Shabbos when the lid is tossed into the garbage. It is also for this reason that tossing a perfectly good shirt into the garbage is ineffective to alter the utensil status of the shirt. Although, by throwing it out the owner has denied that the shirt is of value to him, we do not accept his gesture as an objective statement that this shirt is no longer a shirt. His mindset is cancelled due to the objective reality that this shirt is functional. ■

## REVIEW and Remember

1. What is the defining characteristic of an old oven?
2. What is different between baking in an oven and baking on an earthenware shard?
3. What is necessary for an item to become a base for muktza on Shabbos?
4. How does an item's designation as כוס חסרון affect the designation of the item as a usable utensil on Shabbos?

Today's Daf Digest is dedicated by Mr. and Mrs. Dovid Tessler

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נהרג על קידוש השם  
יהא זכרם ברוך

# HALACHAH Highlight

## Opening and Closing a Door or Window

פקק החלון בזמן שהוא קשור וכו'

Opening the door or window of a building is not considered a form of Boneh even though an egress/access is effectively created each time the door is opened, and a "breach" in the wall is "sealed" with each closing of the door. This is true even if the door is almost never used.

### A) Why opening or closing a door is permitted

A door may be opened and closed because it is a functional accessory of the building. That is to say, a door is designed to be opened and closed as part of the intended regular use of the building. As a general rule, any connecting or adjusting that is part of an item's regular use and design.

Since opening and closing a door is the intended design and regular use of the building (and the door itself), one cannot reason that a new egress is created or "demolished" each time the door is opened or closed. (Folding doors are permitted under the same principles permitting swing-doors.)

#### 1) Removable doors and shutters made without hinges

Any door that is meant to open and allow passage is considered, M'deoraissa, a functional accessory to the house or building. This includes even doors and windows that are not hung on hinges, and are completely removable. However, a detachable door or window shutter is subject to Rabbinical restrictions on Shabbos, because it does not resemble a proper door, but rather has the appearance of a permanent fixture in the wall.

*Example: In the time of the Talmud, people would sometimes use simple wood boards to cover their doorways. The boards had no hinges, and were simply pushed and fitted into the door opening. Once in place, the hingeless door appeared like a segment of the permanent wall. The Sages prohibited opening or closing such primitive doors on Shabbos or Yom Tov because of the appearance of Boneh.*

Removable screens and storm windows can also be included in this category: They are used seasonally, and are thus designed to be left fitted to the house, or detached from it for long periods of time. Accessories of this kind have the appearance of permanent fixtures since they lack the "functional" properties that are characteristic of a hinged door or shutter. They are therefore Rabbinically restricted, and may not be removed and replaced unless they have handles or other designs that clearly indicate that they are meant for regular use.

The same restrictions would apply to a door that came entirely off of its hinges, and is now being used to seal a door opening on permanent or semi-permanent basis. One who needs to pass through may not remove the door, nor may one reset it in its position on Shabbos.

#### 2) Unhinged doors and shutters that are opened and closed regularly

If a door that came off its hinges is still being used on a regular

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hibits the practice, while Chachamim permit it.

### 7) Clarifying the position of Chachamim

The Gemara questions whether Chachamim agree that the shutter must be attached to the building or perhaps they hold that one may use a shutter even if it is not attached to the building altogether. ■

basis, one may remove it from the opening and replace it each time he needs to pass through. The fact that the door retains the basic appearance of a door, and is still opened and closed regularly, gives it the full status of a functional accessory, similar to any ordinary door. The Sages did not impose any restrictions on these doors.

Similarly, a shutter or hinged window that came off its hinges may be opened and closed if it is being used on a constant basis.

### B) Opening a door that is missing a doorknob

A doorknob that fell off a door may not be replaced, even in a loose and temporary manner, because an involvement in temporary repairs of this kind often leads to permanent installations. The doorknob is also Muktzah, and may not be handled or moved.

If the door cannot be pulled open (e.g. the door catch and latch are still engaged), one may use a knife or even a screwdriver to turn the latch and open (or close) the door. (Although a screwdriver is Muktzah, it is of a Muktzah category that may be handled for permissible uses. Opening a door is a permissible use.

### C) Connecting a window crank to the rod in order to open the window

A window crank, such as the type designed for casement windows, that became unscrewed and detached may not be reconnected to the rod or crank pin at the base of the window. Screwing the crank permanently into place (even without any tools) is the Melacha of Boneh M'deoraissa.

Even connecting the crank for only temporary use, without any screwing is Rabbinically forbidden. Since the act of connecting the crank is usually followed by the process of screwing it properly into place, the mere act of connecting the crank into the crank pin could lead one to make a permanent installation, which would then be the Melacha of Boneh M'deoraissa. As a general rule, the Sages prohibited even loose and temporary installations for this reason.

However, if one is in the habit of keeping the window cranks in his home deliberately detached (e.g. to prevent small children from opening the windows), he may connect the crank to the crank pin each time he needs to open or close a window. The Rabbinic restriction on connecting accessories does not apply in situations (such as these) where a permanent installation is not needed or desired. In these cases it is obviously very unlikely that one will mistakenly make a permanent installation. ■

1 The 39 Melachos, by Rabbi Dovid Ribiat, p. 1015. Used with permission of the author.

# Distinctive INSIGHT

## The Barrel as a Bosis

לא שנו אלא בשוכח אבל במניח נעשה בסיס לדבר האסור

If a stone was left on top of a barrel, we can tilt the barrel and let the stone fall off. Rabba clarifies that this is only true if the stone was inadvertently left on top of the barrel. However, if the stone was placed on top of the barrel

intentionally, then the barrel is now a base for an item of muktzah, and the barrel itself cannot be moved. It adopts that same status of the muktzah which was placed upon it.

Rabbi Akiva Eiger (הגהות סימן ש"ט) asks why this is true. While the halacha of "a בסיס—a base for muktzah" is clear, in this case the barrel would not only be a holder for muktzah, but it also holds the wine which it contains. In other words, this barrel is a base for two things, the stone and the wine. The stone is muktzah, but the wine it not muktzah. When

an item is a base for two things simultaneously, it no longer automatically adopts the rule of being prohibited due to the being a support of the muktzah item. Rather, it remains permissible to move, due to its being a base for the permitted item.

Rabbi Akiva Eiger answers that in this case, the opening of the barrel is supporting the stone alone. The wine is in the barrel itself. Therefore, it is the פי החבית which is a base for the muktzah, if the stone had been placed there intentionally. ■

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