

1 In the משנה on the previous Daf we learned that ר"א holds one may use a window shutter only if it is קשור ותלוי, tied to the window and hanging from the window OFF the ground, because then it does NOT appear like adding to the structure - it's already part of the building. However if it's not hanging but dragging on the ground, or not tied at all, he's not allowed to use it - because it appears like adding to the structure.



2 The חכמים argue and say בין כך ובין כך פוקקין בו - either way - the shutters may be used.

Our gemora began: מאי בין כך ובין כך - what do the חכמים mean when they say - either way -?

Do they mean that you may use the shutter if its tied - whether it's hanging or not OR do they mean even if it is not tied at all?



3 that the חכמים hold that it does not have to be tied at all, והוא שמתוקן, as long as the person has mentally prepared it to be used on שבת.

רבי ירמיה then challenges רבי אבא and goes on to show from a breisa that discusses a similar case - where the חכמים - who are represented in that mishna by רבי יהודה only allows a loose lock to be used if it was tied to the structure - not if it was complete loose.

רבי אבא answers that his understanding is, that the חכמים of our משנה conform with the opinion of רשב"ג that קנה שהתקינו בעל הבית להיות פותח ונועל בו... מתוקן אף על פי שאינו קשור - A rod that is used to lock a door can be used even if it's not at all connected, so long as he mentally prepared it to be used.



4 The gemora continues "אמר ר' יוחנן הלכה כרשב"ג" that one may use the rod even if it is not attached to the door. However, the Gemara points out, that only regarding איסור alone - does ר' יוחנן accept רשב"ג's reasoning that מחשבה alone - designating it before שבת to be used as a lock for the door removes the concern of על הבנין - the appearance of adding to the structure.

5 However, regarding איסור מוקצה he disagrees with רשב"ג. רשב"ג holds regarding palm branches that were cut for firewood, which are in essence מוקצה, which he then wants to use to sit on them on שבת, that designating it במחשבה before שבת is sufficient to remove the מוקצה status. ר' יוחנן disagrees and holds that מחשבה alone is not sufficient to remove its מוקצה status. Therefore, ר' יוחנן holds that only a bolt that is already a כלי - one that has other uses - such as turning over olives or cracking open nuts, may be used as a door bolt. But a simple stick which has no other use, it is not a כלי - and therefore מוקצה. Mere designation before שבת as a door bolt will not remove the מוקצה status, and therefore may not be used on שבת as a door bolt.

6 - דרש רבי יצחק נפחא אפתחא דריש גלותא הלכה כרבי אליעזר R' Yitzchak Nafcha taught that we pasken like ר' אליעזר that you may use a window shutter only if it is attached to the house and hanging from the window. The Gemara questions this פסק since the משנה on קנ"ז relates a story of דודוק's father and אבא שאול בן בטנית where they shuttered a window with something that was not attached to the house.

Even though there is a משנה in עירובין that seems to support ר' אליעזר, the משנה on קנ"ז which seems to disagree with him is more authoritative because it's מעשה רב - it tells us of גדולי התנאים who actually held this way in practice!

4 **אמר ר' יוחנן הלכה...**  
**רבי שמעון בן גמליאל**  
**איסור בונה**  
*one may use the rod even if it is not attached to the door*

**מחשבה** - designating it before שבת to be used as a lock for the door  
 alone  
 removes the concern of

**נראה מוסיף על הבנין**

**איסור מוקצה**  
 he disagrees with  
**רבי שמעון בן גמליאל**

5 **PALM BRANCHES cut for firewood...**

**מחשבה**

**רבי יוחנן is still מוקצה**      **רבי שמעון בן גמליאל no more מוקצה**

*A stick which has no other use, is not a כלי - and is therefore מוקצה*

6 **דרש רבי יצחק נפחא אפתחא דריש גלותא... הלכה כרבי אליעזר**  
*...you may use a window shutter only if it is attached to the house and hanging from the window*

**מנשה רב**  
 מאין actually held this way in practice!

**מנשה דף קנ"ז**  
 דודוק's father and אבא שאול בן בטנית shuttered a window with something that was not attached to the house!

**7** Zug t=de Mishne  
 The משנה records a מחלוקת between the תנא קמא and רבי יוסי about when covers of כלים are considered מוקצה.  
 To clarify the מחלוקת the Gemara makes three points:  
 -1- ר' יוחנן holds that everybody agrees that a כיסוי has to be able to function as a כלי in its own right, in order to not be מוקצה. The fact that it covers a כלי, does not give it תורת כלי.  
 -2- Everybody also agrees that covers of כלים do not need to have a handle in order to not be מוקצה, because they can be used without handles.  
 -3- Everybody agrees that כיסוי קרקעות – covers of holes in the ground require handles in order to be removed and replaced, because otherwise it appears like בונה - building.

**7 כיסוי הכלים**

The משנה records a מחלוקת between the תנא קמא and רבי יוסי about when covers of כלים are considered מוקצה

<p>ר' יוחנן</p> <p>Everybody agrees</p> <p>A כיסוי has to be able to function as a כלי in its own right.</p>	<p>Everybody also agrees</p> <p>that covers of כלים do not need to have a handle.</p>	<p>Everybody agrees that</p> <p>כיסוי קרקעות covers of holes in the ground need handles so they can be removed.</p>
<p>↓ ↓ ↓</p> <p>in order to not be מוקצה otherwise it would look like בונה</p>		

**8** The גמרא offers two ways to understand the מחלוקת:  
 -1- בכלים דחברינהו בארעא – they may be arguing about covers of כלים that have been attached to the ground, where the רבנן hold that it needs handles because it is too similar to covers of holes, but ר' יוסי holds that it does not need handles because they are regular כלים covers.  
 -2- The second explanation is that they argue about כיסוי תנור – the cover of an oven, where the רבנן considers it like a cover of a hole in the ground, because an oven is attached to the ground, and ר' יוסי considers it like a cover of a regular כלי.

**8**

<b>כיסוי תנור</b>		<b>בכלים דחברינהו בארעא</b>	
<p>ר' יוסי</p> <p>don't need handles</p> <p>like the cover of a regular כלי</p>	<p>רבנן</p> <p>need handles</p> <p>like the cover of a hole in the ground</p>	<p>ר' יוסי</p> <p>don't need handles</p> <p>like the cover of a regular כלי</p>	<p>רבנן</p> <p>need handles</p> <p>like the cover of a hole in the ground</p>

We have B"H completed the Seventeenth Perek הכלים, and begin the Eighteenth Perek מפינן B'ezras hashem.

**הדרן עלך כל הכלים**

9 Zug di Mishnah;  
 מפנין אפילו ארבע וחמש קופות של תבן ושל תבואה  
 The Mishnah teaches that a person may clear out four or five boxes of straw or grain to make room for guests or for people to learn Torah. This *היתר* only allows the strenuous work of moving things, but there is no *היתר* to move מוקצה items, such as טבל - untithed produce, for this purpose.

The גמרא questions -  
 -השתא חמש מפנין ארבע מיבעיא  
 If you are allowed to move five boxes, isn't it obvious that you can move four boxes? Why would the Mishnah say four or five?

9 מפנין

אפילו ארבע וחמש קופות של תבן ושל תבואה



השתא חמש מפנין - ארבע מיבעיא  
 Why would the Mishnah say four or five?

10 The גמרא has two answers:  
 רב חסדא answers that we separate the two words four and five as follows:  
 When there is a total of five boxes you may remove only four of them. In other words, you may not remove everything. If there are many boxes you may remove only five of them.  
 However,  
 - לא יתחיל באוצר - you may not begin to take anything from a storehouse that has not been in use before שבת, because the produce is not assumed to be designated for שבת use, which would be מוקצה according to רבי יהודה's broad definition of מוקצה.

10 רב חסדא

If there are FIVE boxes you may remove only FOUR of them

If there are MANY boxes you may remove only FIVE of them

However, לא יתחיל באוצר  
 you may not begin to take anything from a storehouse that has not been in use before שבת,

רבי יהודה

11 -2- שמואל holds that "four or five" is only an expression and really you may move more boxes as long as you do not empty the entire place out because then we are concerned you will be משהו גומות - fill in holes in the floor. However, there is no restriction on emptying the warehouse for the first time on שבת, since we hold of שמעון's more limited view of the definition of מוקצה.

11 שמואל

"four or five" is only an expression... you may move even more boxes

as long as you do not empty the entire place out because then we are concerned you will be משהו גומות

However, there is no restriction on emptying the warehouse for the first time on שבת

רבי שמעון