

2.6.5

61a (ולא בתפילין) → 62a (אמר רב פזמקי)

- I. Discussion of תפילין – may not wear, but not liable for הוצאה
- a. רה"ר in ד"א (version 1): this is true even according to the opinion that שבת זמן תפילין – he may carry them
 - b. רה"ר in ד"א (version 2): he isn't חייב even according to opinion that שבת לאו זמן תפילין הוא – it is a normal style of dress
- II. Discussion of קמייע (if not "מן המומחה" – may not wear, but not liable)
- a. פפא: no need for קמייע itself to have proven its efficacy – as long as writer is a proven expert – valid
 - i. Support: language of משנה – "מן המומחה" – and not "שהוא מומחה"
 - b. תופסתא שבת ד:ט: definition of קמייע מומחה – if it healed three times, whether a written amulet or herbs; whether the חולה is in mortal danger or not; need not be therapeutic, may be "merely" preventative/protective
 - i. He may: tie it and untie it even in רה"ר, as long as he doesn't put it into an animal ring or chain (מראית העין)
 - ii. Challenge: ברייתא teaches that קמייע מומחה is defined as one that healed 3 people at once
 1. Answer: that is needed to make the קמייע itself considered מומחה; the writer is in any case
 - c. פפא: if he writes 3 קמייעות for 3 people and each heals 3 times – both גברא and each קמייע are considered מומחה
 - i. And: if he writes 3 קמייעות and each heals one person once – the גברא is מומחה, not the קמייעות
 - ii. And: if he writes 1 קמייע that heals 3 different people, the קמייע is מומחה, but not the גברא
 - iii. Question: if he writes 3 קמייעות and they all heal the same person
 1. קמייע is certainly not מומחה
 2. גברא: healed 3 times (→ מומחה); on the other hand, the patient's מזל works with this כתב → not מומחה? תיקו
 - d. Tangential discussion: do קמייעין (which have פסוקים and ה' Name written on them) have קדושה?
 - i. Clarification: cannot be asking whether they may be saved from a fire on שבת
 1. per: ד:ג: תוספתא שבת – ברכות and קמייעין, even though they include שמות and quotes from תורה – not saved
 - ii. Perhaps: it is vis-à-vis גניזה (whether קמייעין require גניזה)
 1. Rejection: explicit ruling (מס' סופרים) – if ה' was written on a handle etc. – cut it off and bury it
 - iii. Rather: whether he may enter בית הכסא with קמייע
 1. Rejection: he may wear קמייע מומחה on שבת; but if he must remove it for ביה"כ, may carry it → אסור to wear
 2. Defense: that is in re: a קמייע of herbs (which may be worn on שבת if מומחה)
 - a. Challenge: permission extends to both herbs and written קמייע
 3. Defense: must be a סכנה שיש בו
 - a. Block: explicitly permitted to any חולה, whether or not he is בסכנה
 4. Answer: since it heals him, he may even carry it in his hands (!) → no גזירה
 - a. Rejection: אושעיא ר' explicitly permitted it – as long as he doesn't carry it ד"א in רה"ר
 5. Rather: it must be covered with leather (→ no reason to remove it before entering ביה"כ)
 - a. Challenge: תפילין is covered with leather, yet he may not wear them into ביה"כ
 - i. Defense: תפילין have ש-ד-י, which are all הלמ"מ

¹ See תוספתא p. 58 – "קמייעין" does not appear in any version of the תוספתא