

פרק ששה-עשר – כל כתבי הקדש

This פרק is based on several foundations: One of the **מלאכות** is **מכבה** many of the details of which we studied in ב פרק; when a fire breaks out that does not in any way threaten human life or limb, there is no permission to directly extinguish the fire on שבת. חז"ל understood that a person will naturally become focused on his possessions that stand to be destroyed in the fire and, as a result, is likely to forget that it is שבת or the prohibition of extinguishing. This may lead to him directly extinguishing the fire. As a result, חכמים made a גזירה against unrestricted evacuation of possessions in such a case. This decree only applies to the location presently aflame – not to an area which may (or even will) become enflamed. This decree applies even in an area which is permissible to carry on שבת. This decree only applies to mundane possessions (e.g. food and clothing); regarding כתבי הקדש, there is allowance to carry them to an area where carrying is only prohibited מדרבנן. There are numerous suggestions offered how to cope with a fire, including

1. Expanding the number of permissible items for removal, either by involving neighbors or by making several trips;
2. Causing indirect extinguishing – גרם כיבוי – which is permitted
3. Allowing a non-jew to voluntarily extinguish the fire

Each of the final 2 points leads to a tangential משנה #7 –indirect “causation” #8 –work done for us by a non-Jew

2.16.1

115a (משנה א) → 116b (וכל שכן בשטרי הדיוטות)

1.	ויהי בנסע הארץ ויאמר משה קומה ה' ויפצו איביך וינסו משנאיך מפניך: ובגוהה יאמר שובה ה' רבבות אלפי ישראל: במדבר י, לה-לו
2.	ויקרא לו לבן יגד שהדוהא ויעקב קרא לו גלעד: בראשית לא, מז
3.	חכמות בנתה ביתה חצבה עמוקה שבעה: משלי ט, א
4.	ויהי העם כמתאננים וע באזני ה' וישמע ה' ויחר אפו ותבער בם אש ה' ותאכל בקצה המחנה: במדבר יא, א
5.	ויסעו מהר ה' דרך שלשת ימים וארון ברית ה' נסע לפניהם דרך שלשת ימים לתור להם מנוחה: במדבר י, לג

- I. משנה א: permission to save כתבי הקדש from a fire
 - a. Whether or not: they are read from (תורה ונביאים) or not read from (כתובים)
 - b. Language: even if written in any language → also require גניזה
 - c. Note: reason for not reading כתובים – כבוד בית המדרש
- II. Translated texts: dispute חסדא ר' הונא/ר' חסדא about saving them (dispute only if hold that they may not be used for reading (קריאה))
 - a. ד' הונא may not save them – since they may not be used for reading
 - i. משנה → “אין קורין בהם” משנה
 1. Yet: even if written in another language, still require גניזה
 - b. ד' חסדא may save them - there is still a degradation of כתבי הקדש involved, even if they may not be used
 - i. משנה → “אין קורין בהם” משנה
 1. Yet: even the eroded remains require גניזה
 - c. Note: according to authority that allows public reading from them, they agree that they may be saved
 - d. Challenge (to ר' הונא): בריתא rules that even if written in other languages, are saved from the fire on שבת
 - i. Defense (לר' הונא): this authority holds that they may be used for reading
 - e. Challenge (to ר' חסדא): explicit ruling in בריתא that even though they may not be used for reading, they are saved
 - i. Defense (לר' חסדא): the matter is itself a dispute among תנאים
 1. כתב עברי: 449 449 449 449 – they are saved – ת"ק
 2. ד' יוסי not saved (story about ר"ג going back to הזקן and burying a תרגום of איוב under a brick but under mortar)
 3. ד' יוסי בר יהודה they didn't bury it under a brick but under mortar
 4. ד' בני there was no mortar on הר הבית – and we aren't allowed to destroy them
 - a. Rather: we allow them to erode
 - ii. Therefore: the dispute ר' הונא/ר' חסדא replicates ר' יוסי (may not be read → not saved) vs. תנא above
 - III. ר' ישמעאל – are not saved (with story involving שבת יד:ג) – ברכות וקמיעין
 - a. Even though: there are שמות and passages from תורה, are not saved, but should be allowed to burn
 - i. Therefore: we regard people who write קמיעות as “שורפי תורה”

